TRAFFIC DISRUPTION CAMPAIGN BY "JUSTICE FOR JANITORS"

Y 4.G 74/7:T 67/12

Traffic Disruption Campaign by "Jus...

HEARING

BEFORE THE

DISTRICT OF COLUMBIA SUBCOMMITTEE

OF THE

COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT HOUSE OF REPRESENTATIVES

ONE HUNDRED FOURTH CONGRESS

FIRST SESSION

OCTOBER 6, 1995

Printed for the use of the Committee on Government Reform and Oversight

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TRAFFIC DISRUPTION CAMPAIGN BY "JUSTICE FOR JANITORS"

FRIDAY, OCTOBER 6, 1995

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON THE DISTRICT OF COLUMBIA,
COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT,
Washington, DC.

The subcommittee met, pursuant to notice, at 1:38 p.m., in room 2154, Rayburn House Office Building, Hon. Thomas M. Davis (chairman of the subcommittee) presiding.

Present: Representatives Davis and Norton.

Also present: Representative Moran.

Staff present: Ron Hamm, staff director; Howard Denis, counsel; Al Felzenberg, professional staff; Anne Mack, press secretary; Ellen Brown, clerk; and Cedric Hendricks, minority professional staff.

Mr. DAVIS. Good afternoon. Welcome.

We have scheduled this hearing in response to a series of actions that have been undertaken as part of the "Justice for Janitors" campaign of the Service Employees International Union. This group is well-known for the confrontational style they use to further their organizational and political agendas.

These actions may be motivated by noble intentions, but they also have the undeniable effect of disrupting the lives of hundreds of thousands of ordinary men and women and interfering with the orderly conduct of both public and private business.

Most recently, people claiming an affiliation with that entity blocked all lanes on the Theodore Roosevelt Memorial Bridge at the height of the morning rush hour. Transportation experts estimate that at least 100,000 commuters and bystanders were directly affected by this action.

The people who planned and participated in these events did much more than interrupt the orderly flow of traffic in and out of our Nation's Capital; they placed at risk the safety and security of hundreds of thousands of people, who had done them no harm and were only trying to get to work or go about their daily business.

In a letter I received about the blocking of the Roosevelt Bridge, one of my constituents described the events as traffic terrorism. Like other forms of terrorism, this certainly involved the taking of hostages. Perhaps the instigators of this blockade believed that by drawing attention to themselves and their cause in this rather contemptible and lawless way, they will breathe new life in the most militant elements of the political arena in the labor movement. Perhaps they have read too much of the rhetoric associated with labor

The truth is that responsible labor leaders do not place other people's children, parents, spouses, health professionals, employers, employees, clients and customers in physical jeopardy. Clearly, there are better legal ways to air grievances than these.

The effects of this campaign are indiscriminate. The potential exists for this type of campaign to have unintended and tragic consequences. Imagine an ambulance being caught up in one of those actions. How would the organizers of "Janitors for Justice" feel if one of their loved ones was badly in need of such service but trapped by a protest? Fortunately, this has not yet happened, but it is an ever-present threat each time they stop traffic.

The purpose of today's hearing is to probe into what is an obvious campaign on the part of some to disrupt the orderly traffic pattern in this Capital region. We will attempt to find out precisely what has been happening, why it's been happening, and what Congress can do to discourage and prevent its recurrence.

I intend through this hearing and other communications with business, labor and industry, to send a loud and clear message that these actions will not be tolerated. I want everyone to know that the Nation's Capital will remain open to business and government.

The Federal Government and those it serves have a compelling interest in keeping the Nation's Capital open. Congress has an obligation to see that it stays so. Hasn't Washington, DC. enough security problems without having to worry about this? We've already seen security increased around the White House, at the Capitol, and at the Nation's airports. Now we have to worry about the highways.

If penalties for actions of this kind are not increased or more effective disincentives are not found, where will this spiral of do-it-yourself terrorism end?

All of this is very much Congress' business. It is precisely this type of emergency public health and safety issue that demonstrates the wisdom of those who framed the Constitution. Situations of this kind I have described in and around this Capital extend well beyond the reach of any city, county or State.

The Federal interest in this case is clear and unambiguous. The ability of the Federal Government to operate must be maintained. Congressional action would not be contrary to home rule, but is part of its very essence. Article 1, Section 8, Clause 17 of the Constitution grants Congress authority "to exercise legislation in all cases whatsoever over such District." This subcommittee will continue to look into the issues raised today to determine the extent to which additional legislation may be warranted.

I yield now to my colleague, Ms. Norton, the ranking minority member of the subcommittee.

[The prepared statement of Hon. Thomas M. Davis follows:]

PREPARED STATEMENT OF HON. THOMAS M. DAVIS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF VIRGINIA

Good afternoon and welcome.

We have scheduled this hearing in response to a series of actions that have been undertaken as part of the "Justice for Janitors" campaign of the Service Employees International Union. This group is well known for the confrontational style they use

to further their organizational and political agendas. These actions may be motivated by noble intentions. But they also have the undeniable effect of disrupting the lives of hundreds of thousands of ordinary men and women and interfering with the orderly conduct of both public and private business.

Most recently, people claiming an affiliation with that entity blocked all lanes on the Theodore Roosevelt Memorial Bridge at the height of the morning rush hour. Transportation experts estimate that at least 100,000 commuters and bystanders were directly affected by this action. The people who planned and participated in these events did much more than interrupt the orderly flow of traffic in and out of our nation's capital city. They placed at risk the safety and security of hundreds of thousands of people, who had done them no harm and were only trying to get to work or go about their business. In a letter I received about the blocking of the Roosevelt Bridge, one of my constituents described the events as "traffic terrorism." Like other forms of "terrorism", this certainly involved the taking of hostages.

Perhaps the instigators of this blockade believe that by drawing attention to themselves and their cause in this rather contemptible and lawless way, they will breathe new life into the most militant elements of the political arena and the labor movement. Perhaps, they have read too much of the rhetoric associated with labor struggles of earlier decades and have seen so many movies that they have lost touch with reality. The truth is that responsible labor leaders do not place other people's children, parents, spouses, health professionals, employers, employees, clients, and customers, in physical jeopardy. Clearly there are better, legal ways to air grievances than these.

The effects of this campaign are indiscriminate. The potential exists for this type of campaign to have unintended but tragic consequences. Imagine an ambulance being caught up in one of these actions. How would the organizers of "Justice for Janitors" feel if one of their loved ones was badly in need of such services but trapped by a protest? Fortunately, this has not yet happened; but it is an ever present threat each time they stop traffic.

The purpose of today's hearing is to probe into what is an obvious campaign on the part of some to disrupt the orderly traffic pattern in this capital region. We will attempt to find out precisely what has been happening, why it has been happening, and what Congress can do to discourage and prevent its reoccurrence.

I intend through this hearing and other communications with business, labor, and industry to send a loud and clear message that these actions will not be tolerated. I want everyone to know that the nation's capital will remain open to business and government. The federal government and those it serves have a compelling interest in keeping the nation's capital open. Congress has an obligation to see that it stays so.

Hasn't Washington, D.C., enough security concerns without having to worry about this? We have already seen security increased around the White House, at the Capitol, and at the nation's airports. Now we have to worry about the highways.

If penalties for actions of this kind are not increased or more effective disincentives are not found, where will this spiral of "do it yourself" terrorism end?

All of this is very much Congress's business. It is precisely this type of emergency pubic health and safety issue that demonstrates the wisdom of those who framed the Constitution. Situations of the kind I have described in and around this capital extend well beyond the reach of any city, county or, state. The federal interest in this case is clear and unambiguous—the ability of the federal government to operate must be maintained.

Congressional action would not be contrary to "home rule", but is part of its very essence. Article 1, Section 8, Clause 17 of the Constitution grants Congress authority "To exercise legislation in all cases whatsoever over such District." This Subcommittee will continue to look into the issues raised today to determine the extent to which additional legislation is warranted.

Ms. NORTON. Thank you very much, Mr. Chairman.

The chairman has called this hearing to address inconvenience to the public arising from a blocking of traffic on bridges leading from Fairfax County and other parts of Virginia by Justice for Janitors, Local 82, of the Service Employees International Union.

Representatives of the union have decided not to testify at today's hearing. I regret that decision, because I believe that Justice for Janitors has a story to tell that the public needs to hear. That story is not the subject of this hearing, however. For that reason,

versations with me urging the union's participation.

Their decision, I believe, is a tactical mistake. Just as I believe that the blocking of the bridges and other disruptive tactics have overwhelmed the union's message of fairness for workers at the bottom of the economic ladder.

Most people do not know why the union has engaged in such tactics. Thus, anger and resentment is the public reaction, rather than identification with the workers and respect that people who work hard for low wages deserve.

However, I do not want to pontificate about Local 82's tactics. As a veteran civil rights worker who was on the front lines of bull-pit activism, that would not become me.

My colleague here in the House, John Lewis and I, were activists in the Student Nonviolent Coordinating Committee in the 1960's. We engaged in tactics of inconvenience as well. But our direct action, as we called it, was almost always directed at our opponents, especially racists and segregationists, not the general public.

Ultimately, of course, we won over the public and this led to historic changes in the law. I believe that a similar victory for low-wage workers can and will occur, if the public hears their concerns.

In the past, long before today's hearing was set, I have indicated to representatives of Justice for Janitors my own difference with them on tactics. They are my friends, and despite the fact that I have not prevailed with them, I appreciate the receptive way that they have always been open to discussions with me on issues of tactics.

Because Local 82 representatives believe that they should not appear here today, I want to say something about who they are and about the real goals of Justice for Janitors and the workers they seek to organize.

The members of Local 82 and those like them who are unorganized, are doing exactly what the society wants them to do. They go to work, often at night, at the lowest pay in the dirtiest, least appreciated jobs in this city. Many have two jobs to try to cobble enough to eat and pay the rent for their families.

Most of their members are people of color, blacks, Hispanics and immigrants, as well as women. They do not get a statutory pay raise or locality pay the way my Federal employee constituents do. They are not members of the FEHBP, with 72 percent of their health care paid by the employer. Until 7 years ago, when Justice for Janitors began to organize in the District, these workers were scattered, unorganized, alone, and unable to seek justice of any kind. Only by joining a union have they had any chance to obtain a fair wage from the considerable profits of their employers, consistent with American standards of fairness.

Their demand for a living wage, and decent working conditions, were recognized by some in 1993. I want to thank and commend several of the District's major real estate developers who contract for cleaning with the unionized contractors who have negotiated a master agreement with Local 82. Among the unionized developers are Boston Properties, JMB Realty, Mortimer Zuckerman, and Charles Smith. Half of the city's 2,500 janitors that clean downtown buildings are now organized.

This is an outstanding achievement, especially considering how much more difficult it is to organize employees in contracted-out services; how much more difficult it is to organize at all with today's outmoded labor laws that vastly favor employers over workers; and how much harder it is to overcome the threat that striker replacement tactics pose to one of the touchstones of democracy throughout the world, the right to organize a trade union to seek decent wages and working conditions.

I may differ with Local 82's tactics, but I believe profoundly in its mission. The 104th Congress has reinforced my belief in what Justice for Janitors is doing.

The majority—the majority justifiably insisted that people like the janitors take any available jobs. Then the majority unjustifiably cut more than $20 billion from the Earned Income Tax Credit for the working poor in order to help pay for a $240 billion tax cut for the rich. The Earned Income Tax Credit, until the last Congress, had bipartisan support, because it encourages people who make low wages nevertheless to work, helps make work more attractive than welfare, and helps offset the tremendous burden that unprogressive payroll taxes have on low wages.

The majority justifiably insisted that people on welfare go to work. Then the majority unjustifiably cut the very programs that enable the working poor to work. The majority passed a welfare bill that froze funding for child care over the next 5 years and left to the States the decision of whether to provide child care at all for parents forced to work under the bill; cut $11.5 billion in Social Security Insurance benefits for disabled children; replaced the School Lunch and Breakfast programs with a School Nutrition Block Grant to States, to expend as they please; and cut $1.7 billion from the Food Stamp program.

Almost two-thirds of the cuts the majority in the House has voted, came from programs for the poor. Because of huge and unprecedented cuts to absolutely essential programs for the poor, a triage is sure to result. In order to clear the welfare rolls, people who are on welfare will get priority for what remains of child care, food stamps, school breakfast and lunches, and the rest. The great and unacceptable irony is that working poor people like the organized and unorganized workers that concern Local 82, will be the first to lose the very programs that enable them to work in the first place.

The Republican majority seeks to have it both ways. The majority argues that Federal money that allows a janitor to qualify for food stamps is actually a subsidy to the employer. Yet the majority ridicules and trivializes the notion that the minimum wage should be raised in two separate increases, from $4.25 to $5.15 an hour. This figure would raise the wage to where it should have been in the 1970's. Even if the minimum wage were raised to $5.75 an hour, this would be about $5,000 below the poverty level for a four-person family in 1995.

This is the real and indisputable message of Justice for Janitors. I would have preferred that you heard it in human terms, from the janitors themselves.

I will not justify closing bridges or other tactics that block the real message of Local 82 and are unfair to members of the public.

the minimum wage and depriving the working poor of the modest programs that enable them to work as janitors.

Thank you, Mr. Chairman.

Mr. DAVIS. Thank you very much.

I would now like to call our first witness. Because of the senseless shooting of a Metropolitan Police Department officer, acting Chief Soulsby is unable to appear before the subcommittee at this time, but we're honored to have as his representative, Inspector Rodney Monroe.

Inspector Monroe is the commander of the Special Operations Division. He is responsible for the execution of the city's response policy to traffic disruptions.

Welcome, Inspector Monroe. Please come forward.

I feel compelled at this point to say something about the law enforcement community that is not directed at you, but rather to the increasing lack of respect in this country for all segments of law enforcement. Recent developments in Los Angeles are regrettable and must be dealt with and not hidden away in dark corners.

Waco, Ruby Ridge, and the Good Ol' Boys Roundup have raised concerns about Federal law enforcement. The editorial in the Wall Street Journal from Wednesday made an excellent point. Growing distrust of and lack of respect for all segments of law enforcement is a serious problem that needs to be dealt with seriously and honestly. One part of our society or one single incident did not cause this aura of distrust to spring up overnight. Likewise, the problems that do exist are real and will not be solved overnight.

Another example is seen right here in the Metropolitan Police Department where a number of factors have led to more than 700 officers to leave in the past year. I regret that this has occurred, and I know that some of these officers are hard to replace. But the reasons for this exodus are many and some of them complicated.

This problem cannot be solved quickly or simply. This subcommittee will work with Chief Soulsby and the MPD, the city government, and the authority, to find ways to deal with the issue and ensure first-rate law enforcement in our Nation's Capital.

Again, Inspector Monroe, I intended none of these comments to reflect on you. I appreciate you being here.

As you know, it's the policy of this committee that all witnesses be sworn before you testify.

[Witnesses sworn.]

STATEMENT OF RODNEY MONROE, INSPECTOR, DISTRICT OF COLUMBIA METROPOLITAN POLICE DEPARTMENT

Mr. MONROE. Yes, sir.

Mr. DAVIS. Thank you.

The subcommittee will carefully review any written statements you may submit. You should limit your oral testimony to 5 minutes in accordance with our rule.

Again, I appreciate you being here.

Mr. MONROE. Thank you.

I first like to say good afternoon to Mr. Davis and also Ms. Norton, and thank you for the opportunity to speak before you on behalf of Chief Soulsby.

I am here today at your request to discuss the concerns of the Metropolitan Police Department in this recent demonstration by the group known as Janitors for Justice. You specifically requested that I address the Metropolitan Police Department's mass arrest policies, the time necessary to respond to the demonstrations, locations where the arrestees live, and whether the bus that the demonstrators used on September 20 was impounded.

First, I'd like it give you a summary of the events. Approximately 200 individuals demonstrated during the week of September 18th; there were a total of 134 arrests; 7 of those arrests were made by the U.S. Capitol Police. Of those arrested, 114 were DC residents; 12 were Virginia residents, 9 the State of Maryland; 2 the State of Maine; 2 the State of California; and 1 the State of Pennsylvania; and 1 for the State of Connecticut.

To summarize each day, on September 18, seven persons were arrested by the U.S. Capitol Police for blocking the roadway in the Third St. Tunnel. All individuals were charged with incommoding under the disorderly conduct statute and released after posting the elected $50.

On Wednesday, September 20, 38 persons were arrested by the Metropolitan Police Department for blocking the roadway on the Roosevelt Bridge. They also were charged with incommoding under the disorderly conduct statute, and released after posting $50.

On Thursday, September 21, 96 persons were arrested and charged with parading without a permit and released after posting $50.

Total collateral collected was $6,700, that were deposited in the city's coffers.

Again, on the September 18 incident, approximately 15 minutes time was taken in order to effect the arrest and to reopen the Third St. Tunnel. These arrests were made by the Capitol Police and the roadway was opened after the arrest and after the removal of several heavy wooden boxes that was thrown about the roadway by the demonstrators.

On September 20, on the Roosevelt Bridge, the actual time from beginning to end was 1 hour and 10 minutes. At zero—at 8 o'clock that morning, the demonstration began, and at 8:50, two lanes of traffic were open. The other two were not open until—officers had to pick up approximately 90 nails that had been thrown about the roadway. By 9:10, all lanes were reopened, with a total of 38 arrests—34 arrests.

Within that 34 arrests, individuals had climbed up on a school bus, had handcuffed themselves to the desk and chairs, and all of that material had to be removed from the roadway.

To give you an oversight of the preparation of the Metropolitan Police Department in handling demonstrations of this size, we like to go in and develop very carefully prepared plans. Planning easier when the demonstrator—normally affords less commotion as relates to the demonstrators and the public, which is affected by this.

In the past, Janitors for Justice had cooperated with us, met with us prior to any organized demonstrations, and fully apprised us of what their activities were going to be. However, in late August, based on a statement made by its leader stating that the city was not responsive to their demands, that they were going to break

tions.

The information that we had received was that they were about to start demonstrations on the week of September 18 and carry them through to the end of the week. They would not meet with us to discuss what those activities were, or the locations, the number of people involved, or what type of activities would be involved. They would only state to us that disruptive activities would occur.

Our response, as in any demonstration within the District of Columbia, the Special Operations Division comes forth and puts forth a plan utilizing all Special—Special Operations personnel, as well as supplemental personnel for the various districts. Officers were detailed to monitor the bridges throughout the city, to include the Anacostia Bridge, as well as the Roosevelt Bridge and 14th St. Bridge.

At 7 o'clock in the morning, a yellow school bus pulled up in front of their headquarters on K St. Two bus loads were gathered. They responded to the U.S. Capitol grounds, at which time they were being followed in its entirety by Metropolitan Police. They responded to the Capitol, disembarked the bus, and began heading toward the Third St. Tunnel. Officers were on the—that location immediately, in which the arrests of seven individuals were made and the roadway cleared.

The next demonstration that took place was on the 21st, at which, 11:30 in the morning, two groups left their headquarters again and began walking through the streets of Washington. Periodically they will reach an intersection and sit down in the middle of the intersection. Because they had broken up into smaller groups of five or six groups, our resources were somewhat limited, in which only one or two officers could follow each group.

This being known to them, they would sit down in traffic. Once the officer gave a warning for them to cease in their activities, the demonstrators would then up and move to another location. After the second warning, and the warning in which arrests would have occurred, they no longer engaged in that activity.

On the 19th, three buses again left their headquarters about 7:30 a.m. and began driving around the city. They were followed. Officers were posted on each bridge. And unfortunately, the fourth bus responded into the city from the Virginia side and immediately pulled diagonally in front of all four lanes on the Roosevelt Bridge, at which time approximately 90 demonstrators disembarked from that bus, with 34 of them sitting on top and in the streets.

At that time, there were two officers on the scene. He immediately called for the assistance of the rest of the units that were staged in the various parts of the city. They were responding to the area. One warning was given in which half of the demonstrators then cleared the roadway and remained on the curb and the other 34 individuals were arrested.

In most cases with the Metropolitan Police Department, as it relates to our handling of demonstrations, we do not issue permits or allow individuals to engage in parades during the rush hour periods, whether that be the a.m. or p.m. The Janitors for Justice

knew of this, but yet made it clear to us that they wanted to embark upon the city during those morning and afternoon rush hours.

The warning procedures: Normally we warn demonstrators before arrest. A decision to warn depends on time and circumstances, at my discretion. If time and circumstances dictate the warning is not appropriate, there is no requirement that one be given. And this particular policy was utilized on the bridge.

As it relates to the laws, current laws and regulations governing activities associated with demonstrations appear to be adequate. The fines as relates to incommoding is one of $50.

There is some current review now—review now within the city government to see whether or not that fine needs to be increased, and by what effectiveness do we need to move about that.

MPD currently has resources and plans to deal effectively with demonstrations. The procedures have served us well for many years and afforded us the flexibilities to adjust to changing circumstances. The Metropolitan Police can handle any contingency that may arise from activities of demonstrators.

I'd also just like to say that there was one report that said that the bus was not impounded. That morning after the demonstration, an officer had to hot-wire the bus, drove the bus to the Brentwood impoundment lot, and issued it a notice of infraction for parking on the bridge.

Sir, this concludes my statement.

[The prepared statement of Mr. Soulsby follows:]

PREPARED STATEMENT OF LARRY D. SOULSBY, CHIEF OF POLICE, METROPOLITAN POLICE DEPARTMENT

Good afternoon Mr. Chairman and Members of the Committee. I am Chief of Police Larry D. Soulsby, Metropolitan Police Department. I am here today at the request of Chairman Tom Davis to address your concerns about the response of the Metropolitan Police Department to recent demonstrations by the group known as "Janitors for Justice." You specifically requested that I address the Metropolitan Police Department's mass arrest policies, the time necessary to respond to the demonstrations, the locations where arrestees lived and whether the bus that the demonstrators used on September 20, 1995 was impounded.

Summary of persons arrested in connection with the various demonstrations Janitors for Justice held between September 18 and 22, 1995:

Approximately 200 individuals demonstrated.
Metropolitan Police Department arrested 134
54 were males and 80 were females
United States Capitol Police arrested 7 persons
4 were males and 3 were females
No juveniles arrested

Residency of those arrested:

114 District of Columbia
12 Virginia
9 Maryland
2 Maine
2 California
1 Pennsylvania
1 Connecticut

Demonstration of Tuesday, September 18, 1995:

7 persons arrested by U.S. Capitol Police for blocking roadway in Third Street Tunnel
Charged with "incommoding" under Disorderly Conduct Statue
Released after posting and electing to forfeit $50

Charged with "incommoding" under Disorderly Conduct Statute
Released after posting and electing to forfeit $50

Demonstration of Thursday, September 21, 1995:

96 persons arrested by MPD
Charged with parading without a permit
Released after posting $50 and electing to forfeit

Collateral collected:

$6,700 deposited with D.C. Superior Court for arrests by MPD

RESPONSE TIMES

Demonstration on September 18, 1995:

Approximately 15 minutes to reopen street
US Capitol Police arrested demonstrators
MPD cleared street of heavy wooden boxes

Demonstration on September 20, 1995:

Approximately 1 hour, 10 minutes
0800 demonstration began
0850 two lanes opened
0910 all lanes reopened
MPD arrested 34 persons
some handcuffed to desks and chairs
Removed desks, chairs, cemented tires, nails, a van and a bus from Roosevelt Bridge

Preparation for Mass Demonstrations

Metropolitan Police Department prepared to handle mass demonstrations of all sizes
developed carefully prepared plans
mobilize necessary resources to meet most contingencies
Planning easier when demonstrators inform MPD of intentions
Janitors for Justice had been cooperative when planning and organizing demonstrations
Janitors for Justice terminated cooperation in late August 1995

INTELLIGENCE ON JANITORS FOR JUSTICE

Friday, August 25, 1995:

SOD/SEB official attended Teamsters demonstration
Speaker told crowd Janitors for Justice was planning large demonstrations similar to those which had occurred in March 1995
Information relayed to MPD's Intelligence Branch
Intelligence Division detective met a leader of Janitors for Justice
Leader told detective group was planning "disruptive" activities for Monday, September 18, 1995
Leader said "disruptive" activities would include civil disobedience
Leader declared city had not been listening and all contact with police would be terminated
Leader stated he would have nothing else to say about activities of organization

MPD RESPONSE

Operational plan implemented
utilization of SOD personnel
supplementation by CDU
Officers detailed to monitor the bridges over Potomac River
Officers stationed at headquarters of group
Officers sent to monitor two churches group had used previously as staging areas

MPD RESPONSES TO EACH DEMONSTRATION:

Monday, September 18, 1995:

1. Demonstration at U.S. Capitol

0715 hours—three yellow school buses pulled up in front of the headquarters at 1213 K Street, NW

Buses chartered from Deadwyler Bus Company
Destination—U.S. Capitol grounds
Notification given to U.S. Capitol Police
Buses loaded with approximately 150 demonstrators proceeded towards U.S. Capitol
Demonstrators disembark at First Street and North Carolina Avenue, SE
MPD official made contact with Mr. Jay Hesse, Exec. Dir., Janitors for Justice
Mr. Hesse stated that demonstrators were going to break up into two groups and march around
He stated that they were not going to engage in acts of civil disobedience
Demonstrators within jurisdiction of the U.S. Capitol
information passed to Capitol Police
Demonstrators marched north in two groups
MPD & US Capitol officers monitoring groups
US Capitol Police traffic officer reported demonstrators at northbound entrance to Third Street Tunnel
MPD observed seven demonstrators in street
Demonstrators trying to set up heavy wooden boxes in roadway and handcuff themselves to boxes
Northbound traffic completely blocked
Capitol Police officials and officers on scene
Decision made to arrest demonstrators without warnings
Caught setting up obstacles
Large group of demonstrators approaching scene
Demonstrators secured in wagon; street cleared and reopened
Operation took no more than fifteen minutes

2. Demonstration through Downtown D.C.

1130 hours—two groups left headquarters at 1213 K Street NW, and marched on sidewalk
One group headed west on K Street
Group was orderly
Stayed on the sidewalk
obeyed pedestrian traffic regulations
Other group proceeded south on 13th Street
At 13th and G Streets 10 demonstrators sat down in crosswalk
MPD members gave one warning to move or risk arrest
Before warning completed demonstrators got up and began walking south
Call for assistance made
Demonstrators proceeded east on F Street and at the intersection of 12th and F Street they again sat down.
Second warning given, but again, before warning completed, they got up and marched north
Additional ERT officers arrived
Demonstrators continued marching; however, they obeyed all traffic rules

Tuesday, September 19, 1995:

0730 hours—three buses arrived at headquarters
Demonstrators transported to different drop-off points around downtown area
Demonstrators engaged in leafleting activities
Demonstrators picked up by buses
Later, one bus and three vans picked up demonstrators and took them to rally on Capitol grounds

Wednesday, September 20, 1995:

0730 hours—three buses again appeared at group's headquarters
Buses picked up demonstrators and began travelling three different routes
Several motorcycle officers assigned to monitor various bridges, including Roosevelt Bridge, to assist with tracking buses
Demonstrators in fourth bus drove from Virginia and blocked traffic on Roosevelt Bridge
Demonstrators in other three buses converged on scene
Additional MPD units arrived on scene and gave one warning
Demonstrators cleared roadway
except for 34 in, on, and around bus
34 arrested for incommoding
Bus bore expired Maryland passenger automobile tags
MPD officer issued NOI for parking on bridge
Bus impounded by MPD officer and driven away

Demonstrators went to Farragut North Metro Station
Demonstrators entered Metro and surfaced in 900 block of U Street, NW
Demonstrators walked west in westbound lanes of U Street, NW, disrupting traffic
MPD official arrived on scene and observed demonstrators carrying signs and bullhorns in 1000 block of U Street, NW
Official told demonstrators that they were engaging in an unlawful parade
They were also told to disperse or they would be arrested
Warning was repeated at least one more time
Organizer approached MPD official in 1300 block of U Street, NW
Official told her demonstrators were engaging in an illegal parade and they must disperse
Demonstrators did not disperse
MPD members directed them on to sidewalk in front of Reeves Center and called for assistance
Demonstrators were prevented from entering building
Surrounded by officers and arrested for parading without a permit
96 arrested

WARNING PROCEDURES

Normal procedure: warn demonstrators before arrest
Decision to warn depends on time and circumstances
Field commander has discretion
If time and circumstances dictate that warning is not appropriate, there is no requirement that one be given

ADEQUACY OF LAWS, REGULATIONS AND RESOURCES

Current laws and regulations governing activities associated with demonstrations are adequate
MPD currently has resources and plans to deal effectively with demonstrations
Procedures have served us well for many years
Provide field commanders with appropriate directions
Afford commanders flexibility to adjust to changing circumstances
MPD can handle any contingencies that may arise from activities of demonstrators

This concludes my statement. I am prepared to answer any questions the Members of the Committee may have.

SOD PROCEDURES FOR DEMONSTRATIONS

Special Operations Division has implemented the following policy reference to demonstrations:

Meets with organizers
Obtains information about planned activities
Processes parade permit applications where necessary
Parade permits never issued for rush hours
Identifies organization leaders and where appropriate parade marshals
Arranges resources to escort parade/demonstrators
Plans deployment of additional resources where civil disobedience expected:
Identify type of civil disobedience, time, location and number of participants
Activate sufficient number of MPD personnel to handle event
To insure that innocent persons are not arrested, where time and circumstances permit, issue three warnings to demonstrators that illegal activities within a specified area must cease or arrests will occur
Warnings are timed to be given five minutes, two minutes, and immediately before arrests begin

Mr. DAVIS. Thank you very much.

I was just reading from a Washington Post article, dated April 14, 1995, where one of the protesters said: "When I first started I was shy, but then it got fun to go out and protest."

What has happened here is the justice system in this city has not responded to the extent that they're capable. It's our understanding that the fine for incommoding traffic carries a maximum of $250 and 90 days in jail, but the court, not the police department, has determined that this is a post and forfeit offense. In other words, the $50 is a bond, not a fine, the people forfeit the bond and no further action is taken. Is that a correct understanding of the law?

Mr. MONROE. Yes, sir.

Mr. DAVIS. So changing the fine doesn't necessarily stop it if the court is going to make a post and forfeit, unless you were to raise the bond?

Mr. MONROE. Yes, sir.

Mr. DAVIS. And I understand that in the city, many parking offenses are more than $50. Is that correct?

Mr. MONROE. Some are, yes, sir.

Mr. DAVIS. I know, because I've been the recipient of some of them, and I paid in a timely way. But it does not carry with it in my judgment, the same kind of obstacle to affecting others that blocking a bridge does. So in looking at these fines, it may be appropriate for the council to review them and for the police department to make recommendations. It gets to be ridiculous when offenders are coming up and saying this is fun, I used to be shy, but it's fun now, and somebody else is paying the $50 fine. Let me ask just a few questions.

I understand from what you're saying that some of the arrested people came as far away as California that were blocking the bridge.

Mr. MONROE. Yes, sir.

Mr. DAVIS. So this has become almost a national event by the time people are coming from many States. Can the U.S. Capitol Police or the Park Police help you and assist you in situations like that?

Mr. MONROE. They do. As it relates to the bridge incident, the U.S. Capitol Police supplied assistance to us in the way of transports. We had 34 individuals as well as several other—debris that was thrown about the roadway, that we used their transports as well as ours to transport the individuals, as well as the debris.

Mr. DAVIS. We noted that on one of the days the city collected $6,700 in fines or forfeited bonds. How much did it cost the city?

Mr. MONROE. I do not have that figure, sir.

Mr. DAVIS. Do you think it would be accurate to say more than $6,700?

Mr. MONROE. Based on the number of officers that were involved in it, yes, sir, and that's based on their salary, yes, sir.

Mr. DAVIS. So every time this happens, or at least in some of the occasions where this has happened, this has ended up costing the city money which the city really doesn't have at this point.

Mr. MONROE. I can only state that I know that it was a considerable amount of resources that were applied to this particular event. The dollar amount, I don't have an idea of this, sir.

Mr. DAVIS. Did the police have advance notice of the traffic-stopping protest on September 20?

Mr. MONROE. We had no advance notice that that was going—was going to occur, no, sir.

Mr. MONROE. No. We had overtly followed several of their buses as they would leave their headquarters, but they knew that we were doing that. They employed other tactics and so forth to try to elude us.

Mr. DAVIS. How many officers were involved on the Roosevelt Bridge, do you remember?

Mr. MONROE. There were approximately 35 officers involved in that.

Mr. DAVIS. OK. Were there a total of 134 arrests?

Mr. MONROE. For the entire week. Thirty-four on the bridge; there were a total of 96 on that Thursday up at 14th and U St.

Mr. DAVIS. OK.

Is the speed with which the police can deal with an action like this constrained by personnel shortages or equipment shortages?

Mr. MONROE. No. Basically, as in any arrest, you have to have an arresting officer that actually physically takes custody of that individual as far as handcuffing that individual, as far as filling out the paperwork on that individual arrest, as well as having a photograph taken with the individual that was arrested. Because based on mass arrests, we lose people in the system and so forth, but that picture tells that this officer arrested this particular person, which should they have decided to go to court on these particular cases, we have clear identification. So it's a time-consuming process.

Mr. DAVIS. Sure.

What are your criteria for calling in the Park Police, U.S. Park Police, or the Capitol Police to get assistance; do you know?

Mr. MONROE. Basically, it's the location of where the event occurred. And based on this event occurring on the Roosevelt Bridge, which was just adjacent to a park, they naturally came in and assisted us, as well as some of the Virginia authorities came on the other side of the bridge to assist us in trying to move some of the traffic through, as we were able to open one lane at a time.

Mr. DAVIS. OK.

So in a situation like on the Roosevelt Bridge, did you call the Virginia authorities and the Park Police as soon as it occurred?

Mr. MONROE. Yes, sir.

Mr. DAVIS. OK.

Is there any more manpower or other groups that we could bring into this to get a faster response when this happens?

Mr. MONROE. I think there was an ample number of personnel available. The system within itself is somewhat slow, yes, and that's as far as the actual processing.

Mr. DAVIS. Is there any kind of formal agreement within the localities, Federal, city, and local, to notify surrounding jurisdictions or everybody involved when a situation such as September 20 occurs? Do you know of any formal agreements?

Mr. MONROE. Forewarning? No, because in this particular case we did not know what their activities would entail. Our particular intelligence unit within the department made contact with different jurisdictions just to find out whether or not they had any information that they could provide for us as far as what their activi-

ties were going to be for that week. So a notification was made in that manner prior to the event and a notification was made after the actual event occurred.

Mr. DAVIS. Was any contemplation given to charging the offenders in this case with stricter penalties in the DC Code, such as reckless endangerment or disturbing the peace or something that would carry a higher fine?

Mr. MONROE. No, sir, that consideration was not given.

Mr. DAVIS. OK.

In the future is there any thought to going with a stricter standard? The key here is some deterrence so people aren't saying, gee, this is fun, I used to be shy but this is fun to do now.

Mr. MONROE. We are reviewing all the charges as relates to those that we normally incur during mass demonstrations, just to see what their actual effectiveness is. And that's currently being done now.

Mr. DAVIS. Have you given any thought to what stricter penalties in the DC Code or higher bonds might do to make the job of the police easier in dealing with these traffic protesters, at this point?

Mr. MONROE. It's a two-tier system. We're looking at how it relates to the penalty and also how it would relate to the actual officer's time that would be spent after that initial process, court time, things in that nature, and just trying to balance the two, sir.

Mr. DAVIS. So it's being reviewed internally, at this point. What I'd like to see are some recommendations by MPD to present to both Congress and the city council in terms of what might assist the police department so that we don't go through this again.

Mr. MONROE. We're working very expeditiously in reviewing those plans and hopefully some good, sound recommendations will come out of that to avoid some of this.

Mr. DAVIS. Both as a deterrent to stop it happening in the future, or the ability to respond as expeditiously as possible if it happens again.

Mr. MONROE. Yes, sir.

Mr. DAVIS. I am one of the last to want to view Federal intervention as the right way to go if the city can handle it, but at this point, this may be an issue that is bigger than the city's ability to handle it, from the way you have described it. It may be the city needs to address its ordinances or its manpower or work some kind of agreement with the Federal Government.

We're here to help. We just want to get the job done, as you can imagine. So as soon as you get that, if you would forward something to our subcommittee, and we'll work with some of your council members who are also keenly concerned about this.

Mr. MONROE. Yes, sir.

Mr. DAVIS. And you've noted that many of these people who were arrested were not even residents of the area, at least from what you could ascertain?

Mr. MONROE. The majority of them, the 104 of the 134, were DC residents.

Mr. DAVIS. I got 114 from DC of the 134. But some were as far away as California, Pennsylvania, Connecticut, and Maine?

Mr. MONROE. Yes, sir.

Mr. MONROE. There were over 200 that were actually involved in the various demonstrations that week. And their State of residency was not known.

Mr. DAVIS. I wonder if we could try without a lot of fanfare to ascertain what the cost to the city might have been in this case. This would be helpful to us on Capitol Hill, to see what this cost the city in fines. I'd like to know what the economics of this is from the city's perspective. Could you try to get back to us on that?

Mr. MONROE. Yes, sir, I will.

Mr. DAVIS. That's all the questions I have now.

I will now give the floor to the ranking minority member, Ms. Norton.

Ms. NORTON. Thank you very much, Mr. Chairman.

The demonstrations in which Local 82 participates do not involve violence, do they?

Mr. MONROE. No, ma'am, they do not.

Ms. NORTON. At all times they are peaceful in demonstrating?

Mr. MONROE. Yes, ma'am.

Ms. NORTON. You indicated that there were several different police units—I mean, sorry, several different kinds of jurisdiction. The Federal jurisdiction, I believe you indicated the Capitol Police?

Mr. MONROE. Yes, ma'am.

Ms. NORTON. Were there any other police jurisdictions involved besides Metropolitan Police and the Capitol Police?

Mr. MONROE. U.S. Park Police provided assistance as related to helping to divert traffic on the Park land. Because once you come across Roosevelt Bridge, it comes right—you have a ramp that comes right down on Ohio Drive, I believe, and they were assisting us in moving traffic along that artery.

Ms. NORTON. Of course, the Park Police have rather broad jurisdiction throughout the District——

Mr. MONROE. Yes, ma'am.

Ms. NORTON [continuing]. Do they not?

Now, is there any reason why District or Metropolitan Police would have to do—would have to be involved? I mean, could this be—this is a bridge leading from Virginia, where most of the people don't come from the District of Columbia. Would there be anything to keep Federal police from clearing the bridge?

Mr. MONROE. They—I think as it deals with resources and the actual bridge being within the confines and listed as public roadway for the District, naturally we have been the ones in the past that have always handled incidents.

Ms. NORTON. Of course, Park Police have a right throughout the District as well, and you call upon them. And I succeeded in getting a bill passed in this House after considerable difficulty in the House and the Senate that allows the Capitol Police to go to cover three times as much territory as they did before.

What I suppose I'm getting at, Inspector, is I don't understand what the coordinating mechanism is for the police. I understand this is the District of Columbia. I don't understand why even given present jurisdiction we could not have a minimum of DC Police and a maximum of Capitol Police and Park Service Police. The Capitol

Police are the largest police force per capita in the United States. The Park Police have overlapping jurisdiction with the Metropolitan Police. Is there any reason that you are aware of in law where you all couldn't send you out there and the rest of them be Capitol Police, Park Police, and the rest, without changing any law that is now on the books?

Mr. MONROE. There is none, to my knowledge, ma'am.

Ms. NORTON. So if we're really interested in getting to the bottom of this, and we're really interested in whether the District of Columbia resources are being used, there's something we could do administratively. And I would like to—I would like to have a meeting, frankly, with representatives of the various police departments in the District and see whether or not some of this overlapping jurisdiction can be put to better use, rather than looking for changes in law that may be totally unnecessary.

I understand that the Corporation Counsel may be looking at that possibility. One of the great advantages of the District is that it does have access to so many police, and I think the chairman is absolutely right, the District certainly needs all of its own police doing hard-core cleanup of crime.

I must say that I also don't understand what the coordinating mechanism is generally for the various police forces. And we must have, conservatively, half a dozen Federal police forces, and there are really more than that if you look at the special police force for the Supreme Court, for the Library of Congress. I've never seen so many different police forces.

I note that Mr. Guiliani in New York wants to—is going in exactly the opposite direction. He wants the housing police and the school board police to all be working under one jurisdiction, because it's hard, obviously, to coordinate police.

I want to ask you about coordination. When a call comes for a matter that is in the jurisdiction of the various police departments, who gets there first, who puts out the call, and who decides how many people from what Federal jurisdiction are coming to assist the Metropolitan Police?

Mr. MONROE. Normally, the territories that normally separate the various jurisdictions—for an example, if an incident were to occur on the Mall between 3rd and 7th St., once the call came in to police communications, them knowing that that is Park territory, the call would not even come into the Metropolitan, it would go directly to the U.S. Park Police stating that the particular incident was on their jurisdiction and therefore they would respond.

Ms. NORTON. Well, that of course is right on the Mall.

Mr. MONROE. Yes, ma'am.

Ms. NORTON. Now, suppose it was somewhere in the District, like close to Stanton Park, where, let's say, the Park Police also have jurisdiction, and a call comes in. Who goes to that spot close to Stanton?

Mr. MONROE. You would pretty much—you would probably have Metropolitan and Park responding to an incident.

Ms. NORTON. So what would really happen is Metropolitan and Park Police would both send out enough cops to take care of the situation?

Mr. MONROE. Yes, ma'am.

With the scarcity of resources, it seems to me there ought to be a better way to decide on how much of the resources will be used. We've got to make better use of our overlapping resources. This is not a matter for you in particular, Inspector, but in fact it has increasingly become clear that the kind of coordination that in fact happens when you get on the scene might best serve the District and the Federal Government if there were a way for it to take place before you got on the scene—so that, for example, if I could give an example, if something occurred close to Stanton Park, where you have Federal police—you have Capitol Police that have jurisdiction now, you have Park Police that have jurisdiction now, and you have the Metropolitan Police that have jurisdiction now. I would like to see a way developed whereby either the Capitol Police or the Park Police go there first, and say we'd like one Metropolitan Police person to come, if that's the number you decided upon.

I'd like to ask you about the use of higher penalties. We all know that one of the greatest waste of time, often, for our own police, is sitting in court waiting for their case to come up. This is very difficult to deal with. And one of the things that the financial authority and the city are looking at are ways to cut down on that.

Now, we have people saying give us overtime, when in fact what we know is that cops sit, waiting for their number to come up, as they say in the street, and if it comes up, then they go out into the street at night and they make overtime. That's why we don't want to simply say overtime as it exists is what we want, is what we want to fund. We want to fund efficiency. If, in fact, higher penalties are used, court time then becomes a given, if, for example, a person has to go to trial, whether it's for summary trial of some kind, or for a jury trial; is that not the case?

Mr. MONROE. As it relates to the charge, if we had charged them differently with——

Ms. NORTON. Let's put it at—suppose you had charged 114 people with a charge that they could contest—that would require contesting in court if they did not plead guilty.

Mr. MONROE. You would have a considerable amount of resources that would have to respond to court on various dates in order to bring that matter to a conclusion.

Ms. NORTON. I guess it was the 103d Congress, there were demonstrations every week for a period of time on Statehood. Most of the time people got in the truck and went away, it wasn't a great inconvenience, it happened in the middle of the day, people could take other routes. But three of those, on three occasions they requested, on three occasions they requested jury trials. And there were three separate jury trials. And on all three occasions, they were found not guilty. I want to put that in the record, on the question of whether or not higher penalties accomplish anything.

Mr. DAVIS. Without objection, that will go in the record.

I hope I understand correctly that you're not trying to impugn somehow that if you take these to a jury, that somehow we're going to be using DC juries to acquit people that are blocking Virginia commuters when they're in violation of the law.

Ms. NORTON. I'm not saying that at all. I am saying for whatever reason the prosecution was not able to convict these people. I believe that in a demonstration, if you want to know exactly what I'm saying, Mr. Chairman, what I am saying is that in a demonstration where it is often very difficult to get witnesses who will then be able to make out every element of the offense, is what I am saying.

Mr. DAVIS. That's why they're taking pictures. That's what's taking so long, isn't it, in rounding everybody up, is because you're taking the pictures and trying to put that case together for each arrestee?

Mr. MONROE. Yes, when we make the arrest, we go in with the intention of having to present that case to court.

Mr. DAVIS. Catch–22.

Ms. NORTON. Yeah, it is.

And my only point is, Inspector—and I would like to have a meeting so that I could learn more about this, in a room with the various police departments and get a better feel for this—my point is that people who do civil disobedience in order to get arrested are not easily deterred, but they have a capacity to tie up our resources. That is the whole point.

The point is to tie up our resources and to make the point that they can do that. These tactics come from—these tactics come from Gandhi, himself, who says, you know, "fill the jails." So I just want to make sure that whatever is recommended takes into account the benefits and the problems associated with—associated with new revenues.

One more question, if I may, Mr. Chairman. Remember that my witnesses didn't come, so I'm not—I'm taking some of their time, too.

Mr. DAVIS. They were invited to come.

I'll permit you one more question.

Ms. NORTON. That's right. Well, thank you very much. That's very kind of you.

I have no witnesses, I want to ask these people questions.

Mr. DAVIS. Just for the record, you were given a list. We did invite your witnesses.

Ms. NORTON. My own statement said that my people didn't come and I asked them to come. I'm asking for more time to try to get to—to try to understand——

Mr. DAVIS. Go ahead.

Ms. NORTON [continuing]. This issue.

Mr. DAVIS. I'm being lenient, go ahead.

Ms. NORTON. And I asked only for one more question.

Do you recommend that these offenses be Federalized or do you believe that local DC law and Police Department tactics can move to deter these sit-ins on the bridge?

Mr. MONROE. I believe with the review that we're conducting now, that we should be able to come up with something that will help us, from a law enforcement perspective, to deal with these situations in a more effective manner.

Ms. NORTON. Thank you, Inspector Monroe.

And thank you, Mr. Chairman.

Mr. DAVIS. OK, thank you.

make just one clarification.

These situations are a sort of a Catch–22; you want to remove people quickly so traffic can go on, but it takes a while to move them and gather information to prove the total case. One way around that could be to go after the organizing group with a much higher and stiffer fine, then you would not have to spend so much time on individuals. Is there consideration being given to that?

Mr. MONROE. I believe that will be something that will be reviewed also.

Mr. DAVIS. OK.

And I understand that there have been some injunctions against this particular group by private developers that have been, frankly, pretty effective. So that may be something that we can discuss when we have the Corporation Counsel here with our next round of hearings.

Let me yield now to the gentleman from Virginia, my colleague, Mr. Moran.

Mr. MORAN. I thank you, Mr. Chairman.

And I didn't bring an opening statement, but will have the staff bring one over and put it in the for the record.

I would like to start out, though, by asking Ms. Norton, by asking what witnesses you wanted here, Ms. Norton, to complete all the perspectives on that situation?

Ms. NORTON. Well, I asked Justice for Janitors to come. I have in the past indicated to Justice for Janitors that I thought that their tactics kept people from even understanding why they were demonstrating, and that even though this was a hearing on disruptive tactics, it would serve their cause to let people know why they were demonstrating. They decided not to come.

Mr. MORAN. I agree, that's unfortunate they didn't. It would have been helpful if they had been here.

And, you know, I agree that the, what would you call, the manual for demonstrating goes way back throughout civilization. Although I think Gandhi, I don't remember him ever disrupting things, he disrupted things, but he was really protesting unfair laws and did so obviously in a nonviolent fashion.

But I'm not sure that it wasn't just the authorities that he was—that were punished by his demonstrations, if you want to use the word punished by them. They were the people who felt aggrieved, and rightfully so.

What bothers me about the demonstration on the bridge is that it is quite different than, I think, both in the degree and the planning, with many of the demonstrations that may be inconvenient to people and annoying, but don't cause any major cost or inalterable disruption of things. The DC Statehood demonstrations occur pretty constantly, and yet people generally have a way to avoid it and I don't think there's any particular harm done.

On this particular demonstration, we disrupted traffic until 11 a.m., as I see in the report from the Police Department. And of the tens of thousands of people who were inconvenienced, some of them were undoubtedly needing to get to places more than just to be able to make it to work by 9 a.m.

Certainly, the Teddy Roosevelt Bridge is the bridge that you would cross if you needed to go to George Washington University Hospital. If you're going there, there's a good chance that you need to be there and there's a good chance you need to be there at a particular time.

We all think that our jobs are important, some are more important than others, but some may be necessary. And I think what this indiscriminate massive disruption, it goes past the point where an appropriate level of judgment was applied. And so I really would like to have talked to the people representing Janitors for Justice, in terms of their responsibility to make their point in a peaceful, nonviolent, and in a balanced way, that is not irresponsible. I think this may have gone past that point.

On the other hand, we have a responsibility to create discouragements, substantial disincentives to do that. If we become patsies, we stand back in an apathetic way and allow any type of demonstration, no matter how extreme, to occur, without there being any reasonable civil punishment, then I think we have to assume some responsibility as well. So I would be in agreement with what the Chairman has suggested in terms of increasing the punishment.

And I understand what Ms. Norton has suggested, that we don't want to do it in such a way that we're the ones who are punishing ourselves, that we tie up the court system, that never mind, fill up jails, when we need violent criminals who are a threat to people. These people are not an immediate threat to anyone.

We don't have the space in our incarceration facilities, and we don't really have the capacity within our court system. But we've got to figure out a way to create more of a disincentive, I think, than a $50 fine, which is fairly easy to meet. And there wasn't even any confiscation of the vehicles, as I understand.

Mr. MONROE. No, sir; no, sir, the vehicle was——

Mr. MORAN. The bus was confiscated? OK.

Well, then that information that was in the newspaper was inaccurate and it's useful to get that on to the record, if it was confiscated. And I want you to put that on the record.

But I think one thing we ought to consider is, and it is related to the logistics of putting people through a court system that is already grossly overburdened, is not only the role of enforcement with other enforcement agencies, whether it be the Capitol Police, the Park Police, but also the Virginia State Police, and even the court system within Virginia, which probably has more capacity than DC right now to be able to move cases along in a more expeditious manner.

We have an agreement that applies to the Wilson Bridge and I think the American Legion, the Legion Memorial Bridge, where Maryland and Virginia have a cooperative agreement, and whoever responds first or whoever is able to respond, given the existing circumstance at the time, takes over jurisdiction. And I think that the arrests can be made by Virginia or Maryland in that case, whoever responds first.

I wonder if we couldn't have a similar agreement for bridges that would include the Teddy Roosevelt and the Memorial Bridge, leading to the Lincoln Memorial, to have a similar tripartite agreement

system. If it's on the Potomac River, it may be appropriate to consider something like that.

Mr. DAVIS. If the gentleman would yield to let me make an addition to his suggestion. Perhaps we could fashion legislation in a very cooperative way that would give jurisdiction to the arresting authority and the court enforcement authority. In this case, where commuters are blocked on the bridges, Virginia courts could handle the trial cases to alleve the District courts of the burden. We may want to explore that option.

Ms. NORTON. If the gentleman would yield, I think this could be done by a memorandum of understanding. Because I know there have been in the past. I am not sure about interstate authorities and I am not sure your legislature needed to do that in order to have it happen. I know that DC has a memorandum of understanding with the Federal police for certain matters. So I would like to explore this with both of you.

Mr. DAVIS. I think that would be very helpful.

Mr. MORAN. We might ask COG, too, who has that group of police chiefs that work together. I think we would want to ask the Virginia State Police when they come up to testify what they would think.

Do you see any problems, it is about time I got around to a question, isn't it, Inspector Monroe? Do you see any problems from your perspective representing the metropolitan police department with having that type of cooperative agreement?

Mr. MONROE. I would think in a situation like that you would have to look at the actual law itself and as it relates to, if you are in DC, can a Virginia officer actually make an arrest for a charge that is only a District of Columbia charge, whereby if it was a Federal charge, these jurisdictions—I'm saying that I don't have arrest powers in the State of Virginia. So you would have to look at the law changes.

Mr. MORAN. They were on the bridges. Are the bridges considered entirely DC jurisdiction?

Mr. MONROE. Up to certain points within the bridge, yes, sir.

Mr. MORAN. Were any of the demonstrators beyond that DC demarcation point?

Mr. MONROE. Unfortunately not.

Mr. MORAN. So they were conscious probably of how to keep it within DC's jurisdiction. But we may, as Ms. Norton suggested, it may even be able to be done by a memorandum of agreement. That would be terrific if we could pursue that. Apparently, there is no precedent to that.

Mr. DAVIS. There is an act in the Virginia code. The staff will review it. Mr. Moran, we will work with your staff, Ms. Norton and mine, and the Council of Government's.

Mr. MORAN. Thank you, Inspector Monroe. I appreciate it. We know what a tough job you have, too. Thanks for taking the time and testifying.

Mr. DAVIS. I am now pleased to call our next distinguished panel to testify. Captain Donald P. Garrett of the Virginia Department of State Police, 7th division headquarters; Mr. Ronald Kosh, the

general manager of AAA-Potomac; Ms. Emily Vetter, president of the Hotel Association of the District of Columbia; and Mr. Steve Eldridge, acting director of Metro Traffic Control.

I am very proud of the fine job done by our Virginia State Police in protecting the general public. The AAA-Potomac represents over 726,000 local members, including my family, in the District of Columbia, Northern Virginia, and suburban Maryland.

Tourism is the largest private sector employer in the District, providing much needed revenue for the Nation's capital, and I hope an increasing part of revenue in the years to come with the building of the arena and convention center. The hotel industry is a key component of that employment mix.

Traffic reporters have become vital communication links in most urban areas for the millions of Americans who live in the suburbs but work in the city. I don't believe that they are any more important than in any region of the country than here. I am pleased Mr. Eldridge is here at our request.

As you know, it is the policy of this committee that all witnesses be sworn before they testify. Would you please raise your right hands.

[Witnesses sworn.]

Mr. DAVIS. We will carefully review any written statements you care to present. But please limit your oral testimony to 5 minutes each in accordance with the rules. We will start with Mr. Garrett.

STATEMENTS OF CAPTAIN DONALD P. GARRETT, VIRGINIA DEPARTMENT OF STATE POLICE, 7TH DIVISION; RONALD W. KOSH, GENERAL MANAGER, AAA-POTOMAC; EMILY VETTER, PRESIDENT, HOTEL ASSOCIATION OF THE DISTRICT OF COLUMBIA; STEVE ELDRIDGE, ACTING DIRECTOR, METRO TRAFFIC CONTROL

Mr. GARRETT. Good afternoon. My name is Donald P. Garrett and I am the Division Commander for the Virginia State Police, Division 7 office located in Fairfax on Braddock Road. Division 7 encompasses the counties of Fairfax, Arlington, Prince William, and Loudoun Counties and the various cities and towns within. I was asked to join you here this afternoon to offer my observations, and share my concerns with reference to bridge and roadblockages in DC that affect commuters in Northern Virginia.

Having served the public in this region for the past 19 years, since 1976, I am well aware of the difficulties and frustrations of Virginia motorists and what they face each morning and afternoon as they attempt their daily commutes. According to the Virginia Department of Transportation, there are 226,000 motorists that drive across the 14th Street Bridge into the District each morning. The Interstate 95/395 corridor is the heaviest traveled section of interstate in the entire Commonwealth of Virginia, largely due to these commuters.

I have watched this region grow, the road networks expand, and the economic status flourish. However, I have also seen the negative aspect of the increased traffic on our interstates. With the high volume of traffic on highways in Northern Virginia, motorists' tempers flare easier than they once did. Angry, frustrated drivers have led to increased aggressive driving behaviors, such as following too

delay.

The Virginia State Police is actively involved with our neighbors in Maryland as well as all Northern Virginia localities, such as Fairfax and Arlington Counties to try to stem problems caused by congestion. We have an incident management plan that we use when unforeseen congestion arises from accidents, disabled vehicles, and even roadway failure. This plan was adopted in 1988 as we recognized the need for better communication among our respective agencies so that the roadways could be opened quicker. For each minute that a lane is blocked, 4 minutes of traffic delay results. So, for example, a 7-minute fender bender causes almost a half-hour of backup.

On an average day in Northern Virginia, our interstate will experience at least 5 to 10 disabled motorists or accidents that will result in lane blockages. That is why, when asked to discuss the difficulties that Northern Virginians experience when roads are blocked in the District of Columbia, I would like to offer my agency's assistance in any way necessary.

On September 20, there was a janitorial workers' protest in the District that brought traffic to a standstill for commuters on Interstate 66 eastbound. Normally, because of the success of the HOV–2 program, this roadway does not present as much congestion as others do. However, on September 20, an estimated 100,000 motorists were trapped on Interstate 66, Routes 50 and 110, and the George Washington Parkway. Other vital interstate arteries were clogged as well. The protest resulted in an additional 4 miles of backup on Interstate 395, for example.

I understand that about 34 persons were arrested and each paid a $50 fine. However, I believe that the cost to Virginia's commuters was undoubtedly greater than that. Consider the man-hours lost from jobs, possible flights that were missed, as was mentioned earlier, the ability to get to medical care, and the other aspects that could result in a hostile business climate for the entire region. Virginians and innocent commuters do not deserve to be punished every time a group of people decide to protest and seek publicity for their causes. While we recognize and appreciate an individual's right to protest, this does not include interfering with the rights of others to get to work.

Blocking the transportation system should not be tolerated by any State or locality in our region. It is too vital to the our health as a region.

On behalf of the Virginia Department of State Police, I offer any assistance that we may render to the District of Columbia in solving this serious problem. Currently, while we do have a compact to clear disabled vehicles from bridges leading to DC and Maryland, there is no agreement regarding the issue of road and bridge blockages due to protests. With protests and marches continuing to be a form of expression in our region, I believe that a plan should be adopted addressing better liaison with the District and surrounding localities. This plan would stress the importance of notifying agencies of potential problems in their jurisdictions.

I appreciate the opportunity to speak to you this afternoon and look forward to answering your questions.

Mr. DAVIS. Thank you very much.

[The prepared statement of Mr. Garrett follows:]

PREPARED STATEMENT OF CAPTAIN DONALD P. GARRETT, VIRGINIA DEPARTMENT OF STATE POLICE, 7th DIVISION

Good morning. My name is Captain Donald P. Garrett and I am the Division commander for the Virginia State Police Division Seven office in Fairfax. Division seven encompasses the Counties of Fairfax, Arlington, Prince William, and Loudoun, and the various cities and towns within. I was asked to join you here this morning to offer my observations and to share my concerns with reference to bridge and road blockages in D.C. that effect commuters in Northern Virginia.

Having served the public in this region for 19 years, since 1976, I am well aware of the difficulties and frustrations Virginia motorists face each morning as they attempt their daily commutes. According to the Virginia Department of Transportation, there are 226,000 motorists that drive across the 14th Street Bridge into the District each morning. The Interstate 95/395 corridor is the heaviest travailed section of the interstate in the entire Commonwealth, largely due to these commuters.

I have watched this region grow, the road networks expand, and the economic status flourish. However, I have also seen the negative aspect of the increased traffic on our interstates. With the high volume of traffic on the highways in Northern Virginia, motorists tempers flair easier than they once did. Angry, frustrated drivers have led to increased aggressive driving behaviors such as following to closely, speeding, and using highway shoulders unlawfully. These behaviors bring about more accidents resulting in more traffic delay. The Virginia State Police is actively involved with our neighbors in Maryland as well as all Northern Virginia localities such as Fairfax and Arlington Counties to try to stem problems such as congestion. We have an incident management plan that we use when unforeseen congestion arises from accidents, disabled vehicles, and even roadway failure. This plan was adopted in 1988 as we recognized the need for better communication among our respective agencies so that the roadways could be opened quicker. For each minute that a lane is blocked, four minutes of traffic delay results. So, for example, a seven minute fender bender would cause almost a half hour of back-up.

On an average day in Northern Virginia, our interstate will experience at least five to ten disabled motorists or accidents that will result in lane blockages. That is why, when asked to discuss the difficulties that Northern Virginians experience when roads are blocked in D.C., I would like to offer my agency's assistance in any way necessary.

On September 20, there was a janitorial protest in the District that brought traffic to a standstill for commuters on Interstate 66 Eastbound. Normally because of the success of HOV–2, this roadway does not present as much congestion as others do. However an estimated 100,000 motorists were trapped on I–66, Routes 50 and 110 and the George Washington Parkway. Other vital interstate arteries were clogged as well. The protest resulted in an additional four miles of backup on the Interstate 395, for example. I understand that 34 persons were arrested and each paid a $50.00 fine. However, I believe that the cost of Virginia's commuters was undoubtedly greater than that. Consider the man-hours lost from jobs; flights possibly missed, and other aspects that could result in a hostile business climate in our region. Virginians and innocent commuters do not deserve to be punished every time a group of people decide to protest and seek publicly for their causes. While we appreciate an individuals right to protest, this does not include interfering with the rights of others to get to work.

Blocking the transportation system should not be tolerated by any state or locality in our region. It is to vital to our health as a region.

On behalf of the Virginia State Department of Police, I offer any assistance we may render to the District of Columbia in solving this serious problem. Currently, while we have a compact to clear disabled vehicles from bridges leading to D.C. and Maryland, there is no agreement regarding the issue of road and bridge blockages due to protests. With protests and/or marches continuing to be a form of expression in our region, I believe that a plan should be adopted addressing better liaison with the District and surrounding localities. This plan would stress the importance of notifying agencies of potential problems in their jurisdictions.

Thank you for the opportunity to share my concerns with you this morning. I look forward to answering any questions you may have.

ters of a million local residents who are members of AAA-Potomac, nearly one in three commuters, thank you for the opportunity to discuss the demonstrations which intentionally and illegally blocked traffic into the District of Columbia, causing major disruptions to our region's commuters.

First, let me say that having served the District of Columbia since 1915, AAA-Potomac has a major stake in the well-being of our community. Our public service activities benefit our citizens and neighborhoods, including sponsorship of over 32,000 local safety patrols. With 75,000 members in the District and many, many more who visit and work in the District on a daily basis, we are committed to the prosperity and future of the District and its residents.

Second, I'd like to stress that as a long-time community public service organization, we ardently believe in and support our fundamental rights of assembly and free speech. But demonstrations must be carried out legally and must respect and not trample on other citizens' rights, including that of free passage.

Tactics that constitute "transportation terrorism" are willfully illegal, recklessly dangerous, and utterly selfish. Moreover, they greatly disrespect and wantonly infringe upon the rights of hundreds of thousands of commuters. Ominously, blocking traffic to draw attention to causes, regardless of merit, is a tactic that is becoming commonplace as it has been used more than a dozen times locally in the past year.

As recent events amply demonstrated, our transportation system locally is very fragile. We have the second worst congestion in the Nation and the second largest average commute time. Disruptions of major transportation facilities like the Roosevelt Bridge bring our transportation network to a standstill because all other routes already operate beyond capacity and therefore there is no extra capacity to pick up the slack. Speaking regionally, such irresponsible traffic blockages have significantly negative impact on our quality of life as well as our safety. They further and unfairly reinforce the District's unfortunate but growing reputation as an unpleasant place to work, live, or visit.

I'd like to offer a snapshot summary of the enormous impact that that event had and underline the necessity of deterring such hit and runs on the region's more than 2 million commuters.

The Roosevelt alone carries 25,000 commuters every rush hour morning, and the blockage greatly affected every inside-the-beltway Potomac crossing, which altogether carry conservatively over 135,000 and as many as 200,000 plus as the Virginia Department of Transportation has more recently estimated into the District each morning. The event started just before 8 a.m. When finally cleared, its residual effects lasted until 11 a.m. Therefore, the demonstration conservatively affected in excess of 100,000 commuters.

Obviously, commuters were delayed in greatly differing amounts of time. But for the purpose of measuring an approximate economic impact, let me conservatively posit that the average delay was 20 minutes. I suspect your constituents found that they were considerably delayed more than that.

Also, let me assert that the average hourly compensation, including benefits, is no less than $15 an hour. Therefore, you can assume that that protest alone sapped no less than half a million dollars of productivity from the District's already ailing economy. And that doesn't take into consideration the cascading events on the other side of the river.

The Roosevelt Bridge stunt impugned the professional reputations of those commuters and their employers. Through no fault of their own, they were forced to explain to their employers and their customers, why they were as much as 2 hours late. While most were likely understanding, AAA-Potomac has heard from some members whose paychecks were docked.

Further, congestion is a leading cause for crashes and fatalities on local highways. When traffic is brought to a sudden and unexpected halt, motorists experience fender benders or worse. They must ultimately pay for the repair for those and, henceforth, pay higher insurance premiums. Those costs also weren't taken into consideration.

But even far more important, our public safety is needlessly and irresponsibly placed at risk by such stunts. Transportation terrorism threatens our well-being by recklessly delaying emergency services, such as police, ambulances, and fire and rescue vehicles, for which precious seconds can mean the difference between life and death.

It is clear that the current legal deterrent is inadequate. The District's statute is limited in the penalty that it can impose. Even if maximally enforced, those penalties are far less stringent than those in Virginia and Maryland. In Virginia, the fine is as high as $2,500 and confinement for as much as 12 months, or both. In Maryland, it's $500.

On behalf of our 773,000 local members, we urge a thorough examination of whether the existing District law is being applied adequately and whether it is sufficient. We very much appreciate this committee's active interest in leadership on the issue. As recently as yesterday, we have had discussions with Chairman Harry Thomas, councilmember, whose committee is public works, and we believe that that is where the process ought to start, with council addressing the matter adequately and swiftly. If not then, we urge your intercession in effecting a meaningful deterrent.

In sum, I'd like to express our appreciation to you, Chairman Davis, and for this committee's leadership for the thoughtless actions that disabuse the District's reputation as an attractive place to visit and work. We also look forward to helping you ensure the free passage of commuters into and through the District of Columbia.

Mr. DAVIS. Thank you very much.

[The prepared statement of Mr. Kosh follows:]

PREPARED STATEMENT OF RONALD W. KOSH, GENERAL MANAGER, AAA-POTOMAC

On behalf of nearly three-quarters of a million local resident who are AAA Potomac Members—nearly one in three commuters—thank you for the opportunity to discuss recent demonstrations which intentionally and illegally blocked traffic into the District of Columbia, causing major disruptions to our region's commuters.

First, let me say that having served the District of Columbia since 1915, AAA Potomac has a major stake in the well-being of our community and we perform a

members in the District and many, many more who visit and work in D.C. on a daily basis, we are committed to the prosperity and future of the District and its residents.

Second, I'd like to stress that as a long-time community, public-service organization, we ardently believe in our fundamental rights of assembly and free speech. We regard these rights as critical linchpins to a democratic society. But demonstrations must be carried out legally and must respect and not trample on other citizens' rights, including that of free passage.

Tactics that constitute "transportation terrorism" are willfully illegal, recklessly dangerous, and utterly selfish—moreover they greatly disrespect and wantonly infringe upon the rights of hundreds of thousands of commuters. Ominously, blocking traffic to draw attention to causes, regardless of merit, is a tactic that's becoming commonplace as it has been used more than a dozen times in the past year.

As a recent events amply demonstrated, our transportation system is very fragile. We have the second worst congestion in the nation and the second longest average commute time. Disruptions of major transportation facilities like the Roosevelt Bridge bring our transportation network to a standstill because all other routes already operate at or beyond capacity and therefore have no extra capacity to pick up the slack. Speaking regionally, such irresponsible and intentional traffic blockages have significant negative impact on our quality of life as well as our safety. Such actions further and unfairly reinforce the District's unfortunate but growing reputation as a unpleasant place to live, work, or visit.

I'd like to offer a snapshot summary of the enormous impact of September 20th's event which will underline the necessity of deterring such "hit and runs" on the region's more than two million commuters.

- The Roosevelt Bridge alone carries 25,000 commuter every rush-hour morning (6:30–9:30 a.m.), and the blockage greatly affected every inside-the-Beltway Potomac crossing, which altogether carry 137,000 commuters into the District each morning. The event started just before 8:00 a.m., at the heart of rush hour.
- While finally cleared at just after 9:00 a.m., its residual effects lasted until 11 a.m.
- Thus, the demonstration affected likely in excess of 100,000 commuters.
- Obviously, commuters were delayed in greatly differing amounts of time. But for the purpose of measuring an approximate economic impact, let me conservatively posit that the average delay was 20 minutes. Again conservatively, let me assert an average hourly compensation, including benefits, of $15 an hour. Therefore, you can conservatively assume that this single protest alone sapped no less than half a million dollars of productivity from the District's already ailing economy.
- The Roosevelt Bridge stunt impugned the professional reputations of these 100,000 commuters and their employers. Through no fault of their own, they were forced to explain to their employers and customers why they were as much as two hours late. While most were likely understanding, AAA Potomac has heard from some members whose paychecks were docked.
- Further, congestion is a leading causes for crashes and fatalities on local highways. Without warning across Northern Virginia, high-speed highway traffic was brought to a sudden and unexpected halt. Motorists experience "fender-bender" crashes—or worse—when confronted with such traffic disruptions, for which they must repair and henceforth pay higher insurance premiums.
- But even far more important, our public safety is needlessly and irresponsibly placed at risk by such stunts. Transportation terrorism threatens our will being by recklessly delaying emergency services, such as police, ambulances and fire/rescue vehicles, for which precious seconds can mean the difference between life and death.

It's time we treat traffic terrorism for what it is. Such action is grossly reckless and irresponsible, and should not be tolerated as simply business as usual.

Unfortunately, it's clear that the District's current legal deterrent is inadequate. The District's statute for "obstructing or incommoding the free use of" a roadway carries a maximum penalty of $250 or imprisonment for not more than 90 days, or both. We are dismayed that the District has merely imposed upon the perpetrators a minimal fine of $50 and dismissal of charges.

The District's penalties—even if maximally enforced—are far less stringent than those in neighboring Virginia and Maryland. Those convicted of "obstructing free passage of others" in Virginia face a fine of as high as $2,500, confinement in jail for as long as 12 months, or both. In Maryland, "willfully obstructing or hinder the free passage of persons passing along or by any public street or highway" carries a maximum fine of $500, 30 days imprisonment, or both.

On behalf of our 773,000 local members, we urge a thorough examination of whether the existing District law is being applied adequately, as well as whether increasing penalties for this crime should be effected. We very much appreciate this committee's active interest and leadership on this issue. Currently, we are urging the Council of the District of Columbia to enact a sufficient legislative remedy, having discussed the concern with Councilmember Harry Thomas, chairman of the Council's Public Works Committee. However, should the Council not address this matter adequately and/or swiftly, we would then urge your intercession in effecting a meaningful deterrent.

In sum, I'd like to express our appreciation to you, Chairman Davis, for this Committee's leadership and your appreciation for how such thoughtless actions events disabuse the District's reputation as an attractive place to visit and work. We look forward to helping you ensure the free passage of commuters into and through the District of Columbia. Thank you.

Mr. DAVIS. Ms. Vetter.

Ms. VETTER. Good afternoon, Mr. Chairman, Ms. Norton, and Mr. Moran. My name is Emily Vetter. I am president of the Hotel Association of Washington. Our organization represents 78 hotels within the District of Columbia and 72 allied members through the metropolitan Washington area.

I appreciate the opportunity to speak before you today concerning the organization called Justice for Janitors. Our industry, the hospitality industry, had an unfortunate experience with the Service Employees International Union, Local 82, in May of this year.

I will preface discussing this incident by making a statement. I know the subcommittee is well aware that the hospitality industry is the largest private sector economy in the District of Columbia. If spite of all our best efforts to promote the Nation's capital as the finest place to hold conventions, meetings, and visit as a leisure traveler, we have unique obstacles. I would like to refer you to an article in last Tuesday's Washington Post Business Section, which accurate highlights how difficult it is for us to sell our city when we are the most publicized city in the country, when we are undergoing a financial crisis, and when there is the perception that nothing works in the Nation's capital.

It is for this reason that we are aggressive boosters of our city and work hard with groups who may wish to deter visitors for their own purpose. I cite the police union, which a year ago threatened to tell visitors not to come to Washington because it was unsafe. We were able to reason with the police union who understood that it was to no one's advantage to deter visitors to Washington as the effect would be less tax dollars collected and more District residents out of work.

Unfortunately, we were not given this same opportunity to reason with the SEIU. In late May when our industry and the city's committee to promote Washington was spending several hundred thousand dollars to try and lure visitors during the slow months of July and August, the SEIU local sent a two-page fax to 5,000 travel agents in the southeast of the United States telling them now is not the time to make that trip to DC and Washington, DC, is out of control, visitors beware.

The scurrilous nature of this outrageous document, and there is a copy, we call it the "rat fax," included in your package, was very damaging to our city and our industry's already tainted image. As you can see, phrases were taken totally out of context and statements were made that were simply untrue and absurd.

out. We never heard from Mr. Sweeney.

We did, however, contact our Hotel and Restaurant Employees Union Local 25 to see if they knew of this effort by SEIU. Local 25 did not know, and to their credit they joined with us in sending a letter signed by both the hotel industry and the hotel and restaurant workers' union to each one of those 5,000 travel agents telling them that the SEIU fax was untrue and this was a great time to visit their Nation's capital.

This entire activity by SEIU made no sense. First, they are not trying to organize hotels or restaurants or any other aspect of the hospitality industry. We are covered by Locals 25 and 32.

Second, by attempting to cripple an industry and a city's revenue stream, what have you accomplished by layoffs and diminished revenues for the District of Columbia?

Third, our response faxes to 5,000 travel agents was not inexpensive. This money could have been much better spent on promoting our city instead of having to defend it.

Finally, hotel occupancy, a bellwether of visitor activity, was not very good in July and August was the worst August in close to 20 years.

Mr. Chairman and members of the committee, it is to the economic benefit of all of us if this city is visited and enjoyed by many. It is for that reason that you, Mr. Chairman, and this committee approve legislation to begin to build a new convention center and an arena. A healthy District of Columbia is the goal of all of us.

Justice for Janitors capitalized on the already poor press the city receives nationally and internationally and for what purpose? It was economic terrorism, if you will, Mr. Chairman.

Again, thank you for allowing us the opportunity to testify on this unfortunate incident. We present it in the hope that this will not happen again. Thank you.

Mr. DAVIS. Thank you.

[The prepared statement of Ms. Vetter follows:]

PREPARED STATEMENT OF EMILY VETTER, PRESIDENT, HOTEL ASSOCIATION OF THE DISTRICT OF COLUMBIA

Good afternoon Mr. Chairman and members of the Subcommittee on the District of Columbia. My name is Emily Vetter, and I am president of the Hotel Association of Washington D.C. Our organization represents 78 hotels within the District of Columbia and 72 allied members thoughout the metropolitan Washington area.

I appreciate the opportunity to speak to you today concerning the organization Justice for Janitors. Our industry, the hospitality industry, had an unfortunate experience with the Service Employees International Union, Local 82, in May of this year.

I will preface discussing this incident by making a statement. I know the subcommittee is well aware that the hospitality industry is the largest private sector economy in the District of Columbia. In spite of all our best efforts to promote the Nation's Capitol as the finest place to hold conventions, meetings, and visit as a leisure traveler, we have unique obstacles. I would like to refer you to an article in last Tuesday's "Washington Post" Business Section, which accurately highlights how difficult it is to sell our city when we are the most publicized city in the country, when we are undergoing a financial crisis and when there is the perception that "nothing works" in the Nation's Capitol.

It is for this reason that we are aggressive boosters of our city and work hard with groups who may wish to deter visitors for their own purpose. I cite the police union which a year ago threatened to tell visitors not to come to Washington be-

cause it was not safe. We were able to reason with the police union who understood that it was to no one's advantage to deter visitors from Washington as the effect would be less tax dollars collect and more District workers out of work.

Unfortunately we are not given this same opportunity to reason with the SEIU. In late May, when our industry and the city's Committee To Promote Washington was spending several hundred thousand dollars to try and lure visitors during the slow months of July and August, the SEIU sent a two page fax to 5000 travel agents in the southeast of the United States telling them, "Now is not the time to make that trip to D.C.", and, "Washington D.C. is out of control, visitor's beware!"

The scurrilous nature of this outrageous document, a copy of which is also attached to this testimony, was very damaging to our city and our industry's tainted image. As you can see, phrases were taken out of context and statements were made that were simply untrue and absurd.

Needless to say, we contacted Mr. John Sweeney, the head of SEIU, and insisted they cease and desist from sending these faxes out. We never heard from Mr. Sweeney.

We did, however, contact our Hotel and Restaurant Employees's Union, Local 25, to see if they knew of this effort by SEIU. Local 25 did not know and to their credit they joined with us in sending a letter signed by both the hotel industry and hotel and restaurant worker's union local to each one of those 5,000 travel agents telling them that the SEIU fax was untrue and that this was a great time to visit their Nation's Capitol.

This entire activity made by SEIU made no sense.

First, they are not able to organize hotels, or restaurants or any other aspect of the hospitality industry. We are covered by Locals 25 and 32.

Second, by attempting to cripple an industry, and a city's revenue system, what have you accomplished by layoffs and diminished revenue for the District of Columbia?

Third, our response faxes to 5,000 travel agents was not inexpensive. This money could have been much better spent on promoting our city, instead of having to defend it.

And finally, hotel occupancy, a bellweather activity of visitor activity, was not very good in July and August was the worst August in many, many years.

Mr. Chairman and members of the committee, it is to the economic benefit of all of us if this city is visited and enjoyed by many of your constituents and guests from overseas. It is for that reason that you Mr. Chairman and this committee approved the legalization to begin to build a new convention center and arena. A healthy District of Columbia is the goal of all of us in this room.

"Justice for Janitor's" capitalized on the already poor press this city receives nationally and internationally. And for what purpose?

Again that you for allowing us the opportunity to testify on this unfortunate incident. We present it in the hope that this will not happen again.

Hotel & Restaurant Employees
Local 25, AFL-CIO

Washington, D.C.
Convention and Visitors Association
1212 New York Avenue NW Suite 600 Washington DC 20005-3917
(202) 789-7000 Fax (202) 789-7037

June, 1995

Dear Travel Industry Colleague:

Several weeks ago, you received a "Travel Alert" leaflet from a Local 82 of the Service Employees International Union telling you that "Now is Not the Time to Make That Trip to Washington."

We are writing to tell you that virtually nothing in that fax was true. Now is a great time to make that visit to Washington!

The District of Columbia, our Nation's Capital, has five police agencies and more police officers per capita than any other city in the country. In fact, crime is down 11% this year over last year.

While it is true that our city is experiencing a financial crisis, comparable to those faced by New York, Cleveland, and Orange County, California, safety and public health services are being maintained. Our METRO bus and rail system is the cleanest and safest in the country. Our streets, and parks are well maintained. Our neighborhoods are full of shops, restaurants, theaters and museums for every visitor's taste. And Washington has more "history in the making" and more free world class museums than any city in our country.

Nearly 20 million people visit Washington, DC each year. We want you and your clients to know that our city is better prepared than ever to offer a fun and rewarding visit.

Sincerely,

Ron Richardson
Secretary/Treasurer
Hotel & Restaurant
Employees, Local 25
Washington, DC

Emily Vetter
President
Hotel Association
of Washington, DC

Daniel Mobley
President
Washington, DC
Convention &
Visitors Association

...ber 3, 1995 ...s The Washington Post Classified

BUSINESS

Out for a 'Spin' to Boost D.C. Tourism

Industry Treats Travel Writers to a Tour

By Anthony Faiola
Washington Post Staff Writer

For Washington's $7 billion tourism industry, image is everything.

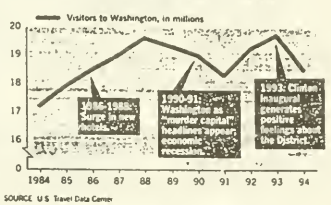
The problem is that, today, the image of the nation's capital is far from rosy, tourism experts say. Prospective tourists in the past year have been fed sound bites and news stories on the District's fiscal crisis, shootings in front of the White House and politicians of every stripe railing against big government, symbolized by the capital. "No doubt Washington lost some tourists because of it," said New York image specialist Howard J. Rubenstein. "Some people saw those reports and decided it might be better to stay away this year."

Though figures are not yet available for 1995, tourism officials predict that the area's visitor count will be flat this year. And with unsavory memories of visitor declines following the District's "murder capital" tag in 1991, they are worried about future prospects.

So officials came up with a de-

See TOURISM, D13, Col. 1

The news, along with a host of other factors, has played a role in the District's changing tourism tide:



SOURCE U.S. Travel Data Center

Hosts Hope Junketed Writers Put in a Good Word for D.C.

TOURISM, From D1

cidedly Washington solution: spin doctoring.

That past weekend, a consortium of area tourism businesses invested nearly $35,000 on its single largest effort ever to generate good press.

Twenty-eight free-lance and staff writers representing national magazines and daily newspapers—including the New York Daily News, San Antonio Express News, Family Circle and the Ladies Home Journal—were flown to Washington and in a whirlwind 48 hours were shown the capital at its best. The wining and dining included a Cuban banquet at the National Air and Space Museum, personal tours of the Lincoln Theater and lavish dinners at fashionable District restaurants.

The aim was straightforward: Generate good will—and good press.

The Washington D.C. Convention and Visitors Association (WCVA), which receives its funding partly from the District's hotel bed tax and partly from membership fees paid by local businesses, spent $5,300 on the trips. The rest of the tab was picked up by tourism-related businesses, which provided hotel rooms, meals and the like.

"We believe there is a direct correlation between the image of the city and leisure tourism," said Marie Tibor, WCVA vice president. "This year, we've been hit with a bunch of negative stories related to our budget crisis. Of course, that's not directly related to tourism, but it portrays Washington in a bad light . . . Tourists may equate that bad press along with other reports as a reason not to come to Washington."

Experts say there are countless other factors besides image that contribute to tourism—such as the relative expense of a city, its attractions and the ease of getting there.

But image— particularly as it relates to safety and crime—remains a huge factor. In Florida, for example, the murders of seven tourists in 1993 contributed to the state's worst tourist count in two decades. And District tourism leaders need only remember 1991, when the much-reported crime rate in the nation's capital led the number of tourists to drop to 18.3 million—the lowest level in six years.

Tourism destinations—especially those experiencing visitor downturns—have used all-expense paid media tours for years as a tool to combat bad press. In recent years, the number of publications allowing their writers to accept free tours has declined, though a large pool of willing participants remains.

But media tours alone cannot fix an image problem, experts say.

"You can't expect a press tour, even a big press tour, to be a cure-all for a bad image," said Rubenstein, a consultant hired by Dade County, Fla., and New York City to help improve their image with tourists. Among other events, Rubenstein organized "tourism summits" that brought together civic, governmental and business interests, and launched massive publicity campaigns to combat the negative impressions.

"Washington, even more than cities like New York and Paris, is in the news all the time," he continued. "You can't begin to control the overall image those thousands of stories create about Washington . . . But, that said, press tours like the one Washington just did can at least help in getting the city's side of the story out."

The VIP treatment this weekend appeared to work. A majority of the journalists said they intended to return to their respective publications to write favorable tales on the lighter side of the nation's capital.

"There are two Washingtons," said Gloria Hayes Kremer, a longtime free-lance writer and former Knight-Ridder travel columnist. "There is the Washington of history—the monuments, the statues, and the museums. Then there is the modern Washington, of crime, and of politics that people have become disillusioned with."

"I believe that tourists can make the distinction between two," she said.

Now Is Not the Time to Make That Trip to D.C.

Continuing Financial Crisis Causes Rising Tension and Disruption in the City...

Service Employees International Union, Local 82
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-TRAVEL ALERT-

Mr. DAVIS. Mr. Eldridge, thank you for being here.

Mr. ELDRIDGE. Thank you, Mr. Chairman, Ms. Norton, and Mr. Moran. I do not have a prepared statement.

Metro networks provide traffic reports to over 40 radio and television stations in Washington in the context of 30- and 60-second reports. Our sympathies are certainly with the commuters. We are concerned with the increasing level of sophistication of these lane blockages.

The incident on the Roosevelt Bridge occurred just inside the District line but before the exits that would have enabled police to route traffic around the problem. In fact, Park Police had to also close the ramp from the southbound G.W. Parkway that would take you inbound on the Roosevelt Bridge. Unfortunately, from there, there is not much option for commuters. The next best option is the 14th Street Bridge, which is already overloaded at this time of the morning.

We are equally concerned with the process of removals of incidents like this which have already been addressed, but there seems to be a lack of impetus on the part of both the Metropolitan Police Department and DC Public Works to clear what are classified as commuter roadways. I would point to two recent examples.

This morning, southbound lanes of DC Route 295, also known as Kenilworth Avenue, below Eastern Avenue, which is within the District, high standing water from the rains the night before. Two of the three lanes were blocked on this very important roadway, until 8:30 this morning. Police officers were on the scene but they were not able to clear the roadway. The impact was felt on the B/W Parkway, on Kenilworth Avenue, and on the John Hanson Highway. In addition to that, New York Avenue, the lights were malfunctioning at West Virginia; Montana, they were flashing red. This was not dealt with at all during the rush hour.

So I think that we're dealing with a specific incident that—but also perhaps an overall problem of resolving problems related to commuters coming in from both Maryland and Virginia.

Mr. DAVIS. Thank you very much.

The Chair will start with the questioning. Let me start with Mr. Garrett.

The range of penalties available in Virginia to deal with traffic stopping protests I think was brought out by Mr. Kosh. They are considerably higher; are they not?

Mr. GARRETT. The penalties and offenses range from traffic infractions all the way through a Class 1 misdemeanor and in this particular instance that we are talking about, could have included a Class 5 felony if any individual happened to be armed.

Mr. DAVIS. Is a bus considered armed in a case like this?

Mr. GARRETT. I don't think so.

Mr. DAVIS. With some people.

Mr. GARRETT. Monetarily and as far as jail time is concerned, penalties range from as low as $10 for a traffic infraction, which would be stopping a vehicle on the highway in this instance, up through a $2,500 fine which is the maximum monetary fine for a Class 1 misdemeanor.

Mr. DAVIS. $2,500.

months.

Mr. DAVIS. Is there any kind of fine to get at the underlying organizers of the union organization that would plan something like this without permits and notification of the police?

Mr. GARRETT. Not that I'm aware of.

Mr. DAVIS. Just curious.

Does anybody have anything to add on the penal?

Mr. Kosh, you noted that the penalties in Virginia and Maryland were higher?

Mr. KOSH. I don't. We are going to look at it, review it. As I mentioned, we did address it with Councilmember Thomas yesterday and he's going to take a look at what can be done from their standpoint and have encouraged him to do so.

Mr. DAVIS. I also say to my colleague from the State Police Department, that you are expressing a willingness to work with the District of Columbia and other metro area police and other law enforcement officers to try to work out some agreement with this, so we can be more efficient about it and perhaps look at things together; is that correct?

Mr. GARRETT. Yes, that is correct.

Mr. DAVIS. Mr. Kosh, has the AAA compiled a record of complaints arising from the traffic stoppage? Did you get any calls in particular from your members?

Mr. KOSH. We have. Because of the multiple locations we have, we are attempting to compile what those numbers are right now. But some of them take into account more than a negative comment. But we have had some direct contacts from calls, what are we going to do about it, what's being done about it, because of the obvious. I suspect you heard probably from at least as many of your constituents or more than we have.

Mr. DAVIS. I heard from a number of constituents. None of them had anything nice to say about the organizing group at this point. They were not mincing their words or trying to say, well, they are just protesting and they are following Gandhi. They were very upset because it was directed at them, it was affecting their lives, their ability to earn a living and the like.

Mr. KOSH. That's the nature of the comments we've had.

Mr. DAVIS. I want to ask a question. AAA is national in scope. I wonder if you have anything in your library of what other jurisdictions might have done in these cases or if you have an opportunity if you could share that information with us?

Mr. KOSH. Be more than happy to do it. In fact, our Foundation for Traffic Safety, I believe they have done some research into it. More than happy to even take a look at commissioning some studies to see if, indeed, there are other jurisdictions out there that have taken other actions to address the problem.

Mr. DAVIS. I won't even go on the other effects on drivers who are sitting there on empty, sitting in traffic for an hour, who have small kids with them, may experience physical discomfort, not have restroom facilities and those kinds of issues. But we have heard specific complaints on those issues, too.

Mr. KOSH. It's hard enough under the best of circumstances to get around in the area. In fact, we deal with it on a daily basis in

trying to render service to the members. On a blue bird day like today, if you will, we're having to render road service out there in excess of 1,500, 2,000 times a day and most of that is compressed into the rush hour.

As I mentioned when it is under the best of circumstances, it's not an easy thing to do. It is very difficult for vehicles to get around. And obviously the public safety vehicles themselves have an extraordinary interest in preserving the public well-being.

Mr. DAVIS. Ms. Vetter, let me ask a question. I saw that in response to the rat sheet that was sent out by the SEIU that you compiled, along with the Hotel and Restaurant Employees Local 25, a response letter to send, that you faxed across the country and sent across, the letter which tells me that this group is really a renegade group within organized labor, that at this point they don't appear to have support from some of their fellow members. Do you think that is correct?

Ms. VETTER. I've been led to believe that many of the local unions do provide local support to Justice for Janitors. However, in this instance I can tell you that our union knew nothing about it, was horrified it had taken place, was quite angry, and that's why they volunteered to cosign the letter with us.

Mr. DAVIS. Let me ask a question. These kinds of continuing media coverage of these incidents clearly don't help the tourism industry, the hotel and restaurant industry in general. Would it be your judgment that this ends up costing jobs?

Ms. VETTER. Absolutely. Because particularly in our business, you're very susceptible to visitation. The result is when visitation drops, you have layoffs. So if industry, for instance, I had mentioned that we had the worst August in almost 20 years, business dropped over 11 percent, this August over last August. I can't give you the exact number but I can tell you quite a few people were laid off in August, no doubt about it.

Mr. DAVIS. Is it possible that these individuals are generally not high-income people?

Ms. VETTER. Absolutely.

Mr. DAVIS. In many cases these are people at the lower end of the economic scale who get laid off.

Ms. VETTER. Particularly in unionized hotels. In most hotels, it's done by seniority. These are the—usually the last hired in entry-level positions.

Mr. DAVIS. To some extent their firings are attributable to these actions by these raucous groups.

Ms. VETTER. That's why we found this absurd. Because this was really affecting sister union individuals who are at the low end of the spectrum as the people they're trying to unionize are.

Mr. DAVIS. My colleague from the District of Columbia made a very compelling opening statement, not all of which I am in agreement with but a substantial part in terms of the thrust, that is, that many of the civil rights actions and protests were directed at governmental authorities and not innocent victims. In this particular case, a number of people who share many of the goals of the group that's protesting are punished. You are chasing away would-be allies. This appears to be one of those cases, particularly with your local unions.

Mr. DAVIS. Mr. Eldridge, thank you very much for being here. I wanted to ask if you had any video or audio tape of these incidents?

Mr. ELDRIDGE. I believe that we may be able to come up with some videotape.

Mr. DAVIS. We would be really interested if you find you could furnish that.

Mr. ELDRIDGE. Several of our affiliates were down there with camera crews, and the Virginia Department of Transportation cameras were there as well. I am becoming increasing convinced that that was one of the reasons why this location was chosen.

Mr. DAVIS. Maybe if you get the cameras down there quicker, they will disperse quicker.

Did you notice motorists leaving their vehicles or congregating or walking around?

Mr. ELDRIDGE. We had reports of numbers of people on the bridge itself walking around. The people that were on the parkway still had some hope of getting beyond the bridge, but the people that were on the Roosevelt Bridge, until they were physically turned around and put on to 110 had no place to go.

Mr. DAVIS. Is that how they did it, actually turned the vehicles around and sent them the other way?

Mr. ELDRIDGE. Correct.

Mr. DAVIS. Of any of you, any reports of weapons found on anybody or any fights breaking out?

Mr. GARRETT. Not that we're aware of.

Mr. DAVIS. Anyone see anything?

OK.

What was the effect on other arteries? Clearly this artery was blocked and some of you mentioned in your statement that when one artery is clogged, many times traffic will go to others and there will be congestion there. Any comment on that or in these particular incidents?

Mr. GARRETT. We had considerable traffic rerouted onto Route 110 because we were attempting to do our best in alleviating the traffic problem as you approach the bridge and had directed as much traffic as possible onto Route 110 which went on attempting to get onto Interstate 395.

When the vehicles reached that area, we then had the additional problem of blockage there because of the overwhelming number of vehicles approaching the bridge. And we had blockage of at least 4 miles back into Virginia.

Mr. DAVIS. These are potentially volatile situations where people are in a hurry to make an important engagement of some kind. It could be for dialysis at a hospital or to get their kids checked or for a job interview, and all of a sudden you are in an uncontrolled situation. In these instances do you feel this is a potential situation where fights could occur? This will be my last question before I yield to Ms. Norton.

Mr. GARRETT. We received no reports of any brandishing of firearms or fights, or that type of thing. But certainly those types of events are potential and we do have on occasion reports of brandishing of firearms or actually firing at other vehicles with fire-

arms. That comes from many, many causes, but certainly could be caused by frustration.

Mr. DAVIS. Let me yield to my colleague from the District.

Ms. NORTON. Thank you, Mr. Chairman.

Captain Garrett, do you know whether the agreement that Mr. Moran spoke of between Maryland and Virginia is a matter of law or is it simply an understanding between the Maryland and Virginia police?

Mr. GARRETT. Several years ago, the Virginia State Police, Maryland State Police, and District of Columbia authorities were gathered or met to discuss the problem of blockage on the various bridges crossing the Potomac River. We came to an agreement: the District of Columbia government, the State of Maryland legislature, and the Virginia legislature passed what is known as the Potomac River Bridge Towing Compact. It is my understanding that this is not a statute per se but a compact.

As a side comment, that relates to something that was mentioned a little bit earlier, this particular compact does not apply to violations of the law, et cetera. It applies to removal of disabled or abandoned vehicles from, let's say, the Woodrow Wilson Bridge or the Memorial Bridge and so forth. The adjoining jurisdictions, such as the Maryland State Police and Virginia State Police have the authority to go on a bridge and push or have a wrecker remove a vehicle from that bridge to the other side simply to clear the roadway. Once it gets in the other jurisdiction, off the bridge, then the other authorities or other State police agency handles it.

Ms. NORTON. Thank you.

Mr. Kosh and Mr. Eldridge, how long does it take you to learn of a disruption, let's say after it begins?

Mr. KOSH. In our case? It depends on the location it would be in. But we wouldn't be necessarily notified immediately unless we happened to be trying to render service in a particular area. Then it would come in typically by radio communications from one of our service vehicles.

Ms. NORTON. So you depend upon your service vehicles to learn about it?

Mr. KOSH. We don't monitor traffic. There are other organizations, entities, like Metro Traffic Control and others that monitor it on a daily basis. Obviously, the highway departments have their own equipment. But we don't do it on a daily basis.

Ms. NORTON. Mr. Eldridge.

Mr. ELDRIDGE. My best recollection of that particular morning is that we had actually gotten some advance notice that something was going to happen at the bridge. I believe that it came from an affiliate. It was probably 20 minutes before 8, which would have been about half an hour before the actual event started. So we were already watching the area. The Virginia Department of Transportation has a camera specifically for the Roosevelt Bridge, and so we were already primed for something happening there.

Ms. NORTON. How did they get piled up that much, given the fact that you had some warning? Is there any capacity to direct traffic away from that point quickly?

Mr. ELDRIDGE. The ability to direct traffic away from that would have been a major undertaking. It would have involved detouring

all the traffic coming in on 66 onto 110 which, quite frankly, is not a route of choice for traffic that's trying to get into the northwest part of town.

Ms. NORTON. It is a better choice than being stuck behind thousands of cars, or hundreds of cars.

Mr. ELDRIDGE. Indeed. Indeed. And from our perspective, we could only give indication that there was perhaps something happening, you might want to avoid the area, that sort of thing, but it wasn't until it actually happened that we realized the nature and how severe it was going to be.

Ms. NORTON. Captain Garrett, what kind of "batman" are you? Is there a capacity to deploy officers immediately, to try to warn people that if they continue, that they will be caught in traffic for hours?

Mr. GARRETT. Our best defense is a good offense, so to speak. If we know ahead of time something is going to happen, we can certainly notify the commuting public through the news media. In this particular instance on September 20, we had no idea that this was happening and did not know until the traffic management system notified us of the event as a result of monitoring their cameras. When we responded, we had approximately two troopers and a supervisor. That was the first notification that we had. We really didn't know what was going on.

Ms. NORTON. But once you find it out, what capacity have you to reroute or to at least warn motorists that something terrible lies up ahead?

Mr. GARRETT. We work in conjunction with the Virginia Department of Transportation. At various intervals up and down the interstate system, 395, 66, there are variable message signs which can be controlled by the traffic management system and messages can be formulated and posted which would notify the commuters as to a delay or roadblockage at a certain location. We can certainly use that information.

In addition, both the Virginia State Police and the Virginia Department of Transportation have public information officers who are very cognizant of the problems and can get on the telephone and immediately begin to notify local news media as well as television and print media.

Ms. NORTON. Do you think that that happened as rapidly as it could have happened in the case of the last bridge blockage?

Mr. GARRETT. I don't quite understand your question.

Ms. NORTON. You indicated that there is communication in place and that you in fact have a way to let people know. Yet in fact this was a massive tie-up. What I am asking you is do you think that the present operation allows you to notify people as quickly as your capacity might otherwise allow?

Mr. GARRETT. I believe that it does. You need to really understand that there is a huge volume of traffic that travels on both roadways and it can block very quickly and back up for a considerable distance in a very short time.

Ms. NORTON. I notice in your testimony you indicated the need to develop a plan, across jurisdictional boundaries, for this crime, and I welcome that and I think that the whole notion of communication and how rapid it could be, and I recognize what you are

saying, it would be very difficult, cars go only 60 miles an hour. I would hope a plan would try to address that.

I would like to ask a final question of Ms. Vetter. I had indicated that Justice for Janitors are people that I respect and my friends, and that I have myself indicated to them that I part company with them on these tactics and they have always received that well, even though they haven't changed their tactics.

I did not know before your testimony of the communication with Local 25. I wonder if you know whether the unions, those two unions, following the counter fax or the letter that was sent out, you and your union, whether the two unions have in fact communicated? Because normally unions have a notion of solidarity. You don't hurt a brother or a sister.

Now, do you know whether this simply happened between you and the union or have you asked the union, Local 25, to begin discussions with Local 82?

Ms. VETTER. We did, Ms. Norton. Immediately Ron Richardson from Local 25 called Josh Williams from the Central Labor Council and was angry because he didn't know about it. I haven't—after we went through several weeks of getting all the names of 5,000 travel agents on a tape, which is what had been used by SEIU, we haven't talked since the letter went out, which took us about 2 or 3 weeks to get out. I haven't followed up with him on it, but I know he did talk to Josh Williams and he did talk to Local 82.

Ms. NORTON. I think it would be helpful to have some communication between the unions so that one union wasn't put in the position of having to countermand what another union had set in motion.

I have to say, I just saw this rat fax, or whatever it was called. I do believe that Local 82 is engaging in inconsistent tactics. On the one hand, it is picketing in order to get more taxes for the District of Columbia. That is understandable. Many of its members work and live in the District of Columbia. But at the same time, it sends out a fax which defames my city and I will never, ever condone defaming this city or saying that you should not come to this city or that it is out of control. It is not out of control. And you can't ask people to pay more taxes when you say people who will provide the money that allows people to pay more taxes shouldn't come to this city.

So I just want to right here and now indicate that if I get up on the House floor and say to Members of Congress, I will take you on if you defame my city, I want to say right here, I will take anybody on that sends a fax that says that the city is out of control or to say that you shouldn't come to this city. These are my friends, but this simply must be said. That there is a limit to how you should proceed.

I would like myself to get Local 25 and Local 82 in a room so that solidarity can mean something and we can all be working off the same page and won't be hurting the very city we all love.

May I ask, Ms. Vetter, if you have been in touch with the city council?

Ms. VETTER. The city council got in touch with us because Local 82 sent copies of these to all members of the city council.

Ms. NORTON. I think that there is a way to I think settle this. I think one of the things we are dealing with here is a lack of communication among all the interested parties. Just as I welcome Captain Garrett's willingness to sit down with members of our own police department and the Federal police here, I would also like to encourage and will myself take affirmative action to encourage members of Local 82 and Local 25 to sit together, not because Local 82 doesn't have a right to use tactics that are germane to its cause but because I really do believe that at this time in the city's history and when it is on its knees that we can all agree upon tactics that don't injure one another and don't injure the city.

I thank you all for appearing today.

Mr. DAVIS. Thank you very much, Ms. Norton. I now recognize my colleague from Virginia, Mr. Moran.

Mr. MORAN. I thank you, Chairman Davis.

I would like to observe that DC bashing that does go on these days is not coming from outside the city generally and in fact I think it is obvious that those who represent suburban areas in the metropolitan Washington area are not engaging in what has been considered to be DC bashing. But if that kind of constructive support is to continue, then these kinds of disruptions can't continue. In other words, it is very difficult to represent people who would be caught up in a 3-hour traffic jam and not say unkind things about the District of Columbia.

Granted this had nothing to do with the DC government. But there is no question the point that you are raising, Ms. Norton, is that it is not conducive to our overall objectives of enhancing the reputation and the economic vitality of the District of Columbia, and I am sure that there are real estate agents, particularly commercial real estate agents, who will make note of the fact that people who might choose to purchase an office building in Northern Virginia or suburban Maryland would have the advantage of never having to worry about that kind of 3-hour traffic jam hitting them in the morning. This is just the reality.

To the extent that we are addressing the folks who perpetrated this, I think it might be useful for them to consider, because as Ms. Norton says, it is wholly inconsistent with their overall objectives if we are to believe what we read to be their objectives.

I would like to ask Captain Garrett, if we had a memorandum of agreement where anything happened on a bridge that the Virginia authorities would be able to respond, there are Maryland bridges that connect with DC, I guess over by Anacostia, well, no, that is all DC. Maybe it only applies to Virginia. Maybe we only need to look at an agreement with Virginia on the Teddy Roosevelt and Memorial Bridge. But if that were to occur, would you respond to such a situation? And if you had the ability to make arrests and to incarcerate, where would these people go?

Give us a little scenario, if you would, Captain Garrett, of what might have occurred had we had such a memorandum of agreement in place?

Mr. GARRETT. For your benefit, the jurisdictional line is at the high watermark on the south side of the Potomac River. A small portion of the bridge may be in Virginia, but almost all of it is within the District of Columbia jurisdiction, or in Maryland.

If we responded, it would be good for you to understand that our resources are limited. I have two troopers routinely assigned to Interstate 66 between the Roosevelt Bridge and the beltway on Interstate 66. I have two to three troopers assigned to Interstate 395 between the 14th Street Bridge and the beltway. That is four to five troopers. We usually have a sergeant, as well, who is responsible for their activities.

We would respond immediately and begin to do what we could do, if you're talking about a small group, three or four people, easily, we could probably handle that fairly quickly. If you're talking about a larger group, 30, 40, 50, 60 people, we would have to call in manpower from elsewhere if we were acting alone from as far away as even Prince William or Loudoun, depending upon the size of the group.

Mr. MORAN. Then if I could intervene, Captain Garrett, you are telling us you don't have the resources to implement a memorandum of agreement that would apply to demonstrations such as the Justice for Janitors demonstration where you had 200 people involved?

Mr. GARRETT. We do not. If you want the bridge cleared quickly and efficiently. We certainly can assist other authorities if we have the authority.

Mr. MORAN. Is there precedent or would it be appropriate for local jurisdictions to get involved in a situation like that? For example, the Arlington police department?

Mr. GARRETT. Certainly. The Arlington County Police Department assists the Virginia State Police on the interstates quite frequently now simply because of what I explained a moment ago, our limited manpower. They would very likely respond as well. As to the number of officers that they could provide, I am unable to even guess. They should be able to provide 5 or 10 officers within a brief time.

Mr. MORAN. They would have vehicles like the paddy wagons?

Mr. GARRETT. That's correct.

Mr. MORAN. Then they would take them to the Arlington jail generally?

Mr. GARRETT. If we're in the Arlington jurisdiction, yes.

Mr. MORAN. Do you cooperate with the Park Police in a situation like that? Would that be the standard procedure?

Mr. GARRETT. We have no problem cooperating with any police agency.

Mr. MORAN. I understand that. But I am just thinking about the normal way things occur. Do you think it would be appropriate for the Park Police to respond in a situation like that simultaneously with State police?

Mr. GARRETT. Certainly.

Mr. MORAN. So you might have three different police agencies, the State police, the local Arlington County police if it was the Teddy Roosevelt Bridge, and I guess that would apply to the Memorial Bridge as well, of course, and you would have the Park Police, all three.

So in total you are talking about probably two dozen police officers who might be available if all three agencies responded simultaneously?

ginia State Police do not patrol any of the roadways other than interstates. So the other bridges that are not connected to the interstates in Northern Virginia. We would not routinely be associated with, unless we are called by the local jurisdiction to assist them. Then we act as an assisting agency.

Mr. MORAN. But is I–66 considered an interstate?

Mr. GARRETT. Yes.

Mr. MORAN. So the Teddy Roosevelt Bridge clearly would be within your jurisdiction?

Mr. GARRETT. Yes, on the Virginia side of the Potomac River.

Mr. MORAN. The Memorial Bridge, that would not be the case?

Mr. GARRETT. No.

Mr. MORAN. I see. That's helpful to understand.

And if the Virginia State Police were to make arrests, what would have been the punishment in that situation, the likely determination?

Mr. GARRETT. If we arrived on a scene such as that, and there were protesters, the first thing we do—would be to advise them that they were obstructing free passage of others. And if they did not move, we would then declare the situation an unlawful assembly and advise them to move, which actually only takes a minute or two. If they did not move, then we would begin arrests and physically remove the people from the bridge.

For a Class I misdemeanor, unlawful assembly is a Class I misdemeanor, the penalty can range from no fine to $2,500, or for incarceration in jail for up to 12 months.

Mr. MORAN. Well, I heard your response to Chairman Davis, but I'm wondering, what do you think would—do you think that they would be fined $1,250? Is that what you're telling us, that they might be fined and jailed for up to 6 months? Somehow I think that might be a little excessive.

Mr. GARRETT. Just speaking from my personal opinion, I suspect that would be true, that's a little excessive. That type of punishment is entirely up to the court, which as you know, the police authorities have no control over. And usually a fine or jail term is assessed at the time of trial.

Mr. MORAN. But it would be more than $50?

Mr. GARRETT. I can't say that. It would range from nothing to $2,500, or jail time from nothing to 12 months, at the discretion of the court.

Mr. MORAN. So the maximum is 2,500 and 12 months?

Mr. GARRETT. That's correct.

Mr. MORAN. And it could be anything in-between?

Mr. GARRETT. That's correct.

Mr. MORAN. I see. That's helpful to know.

Mr. Chairman, my time is up. I did want to address one discrepancy here, and maybe you cleared that up earlier.

On all the information we've been given, it says that of the 200 demonstrators, 34 were arrested, but for one place, which was the testimony of the Acting Police Chief Soulsby, and his testimony, and I think that was corroborated by Detective Monroe, Inspector Monroe, it was—I don't know what the difference is between inspector and detective, but inspector is probably higher, so I didn't

mean to be insulting. But in his testimony, it says 134. So there's a discrepancy of 134. If they arrested 134 of 200, that was pretty impressive—but the other stuff says 34.

Mr. DAVIS. One is a weekly number, the other is a daily number.

Mr. MORAN. Oh, I'm told by Cedric here, who always knows the facts, that that was actually over a week's time, 134. So there were an additional 100 picked up in other demonstrations, 34 at that particular demonstration that involved 200 people. I see. OK.

Well, again, I thank you for having this hearing. I think we will all want to follow-up. The information has been helpful.

And something I can say more to the Hotel Association, they made their point, and we appreciate Metro Traffic Control for being on the job. That information that Metro Traffic Control had, it seems to me, is an indication, Mr. Chairman, that there was the ability to notify other police agencies in a timely manner, and before the demonstration actually occurred, if they had the resources.

And so the next question is, are they going to have adequate resources? They would have had some.

I only mention one other thing. I was caught in that traffic myself, and I can relate to this situation. I had a very important speech to give and it took me an hour and a half to get into the District. So it—I would like to contribute to addressing this issue in a timely and decisive manner.

Thank you, Mr. Chairman.

Mr. DAVIS. Mr. Moran, thank you very much for being here today.

If there's no objection, all material submitted to this subcommittee will be included in the record.

At this point in the hearing, I had hoped to call a representative of Local 82 of the Service Employees International Union, the group responsible for the deliberate traffic disruptions that are the subject of this hearing. In my letter, I advised them of the particulars and wrote as follows: "You are invited to testify on your campaign of traffic disruption in the District of Columbia. Specifically, your testimony should explain the objective of this campaign, its consequences and impacts on the Federal Government and the District of Columbia, and your intentions to continue or discontinue such activities."

Last night, I received a letter in response to my invitation from Mr. Jay Hessey, the executive director of Local 82, and Mr. Hessey explained that he was unavailable to appear today, though no explanation is given, and further writes: "Justice for Janitors has recently presented to the Control Board our proposals for solving the District's financial crisis."

[The information referred to follows:]

LOCAL 82, SERVICE EMPLOYEES INTERNATIONAL UNION,
Washington, DC, October 5, 1995.

Hon. TOM DAVIS,
Chairman, Subcommittee on the District of Columbia,
Committee on Government Reform and Oversight,
Washington, DC.

DEAR CONGRESSMAN DAVIS: Thank you for inviting me to testify, before the Subcommittee on the District of Columbia.

I am unavailable to testify on Friday, and therefere will not be able to attend the hearing. However, Justice for Janitors has recently presented to the District of Co-

cial crisis. We have been assured by the Control Board staff that these proposals are receiving serious consideration and we are encouraged that our efforts to highlight the need for revenue based solutions to the District's budget crisis are now receiving official attention.

Sincerely,

JAY HESSEY,
Executive Director.

Mr. DAVIS. Apparently, Mr. Hessey believes that since he has talked to the Control Board staff about the District's budget, that somehow substitutes for sworn public testimony in the campaign of deliberate traffic disruption. This is not only unacceptable, I believe it's deliberately disrespectful. An organization which claims to have legitimate grievances should have welcomed the opportunity to appear and air its point of view in a proper forum. Refusal to do so can only cast doubt on the rationality of their argument.

In this country, we have many and varied appropriate means of expressing a point of view. It's simply not necessary to resort to extreme, radical and dangerously illegal means. Society will not and cannot tolerate such deviation from constitutional norms.

Congress has a very specific charge in this regard from the Constitution of being responsible for its own operation and the District of Columbia, our Nation's Capital. Such authority is especially clear where, as here, there is a direct threat to the health and safety of working people and visitors who depend on the transportation network of the Nation's Capital.

As chairman of this subcommittee, I'll continue to explore issues raised by the testimony heard and the documentary evidence that has been submitted to date. This exploration will include various options at our disposal to obtain cooperation from those whom we believe may have important information that would be helpful to Congress and the people we represent.

I will now enter into the record the briefing memo distributed to the subcommittee members and the attachments.

[The information referred to follows:]

BRIEFING MEMO FOR JUSTICE FOR JANITORS HEARING

Justice for Janitors is a ten year-old nation wide campaign conducted by the Service Employees International Union (AFL–CIO). The campaign employs aggressive, confrontational tactics including targeting the homes of prominent individuals, disruption of local government meetings, and disruption of normal traffic patterns. Justice for Janitors has two main goals. First, they want to unionize workers at the bottom of the economic ladder. In this respect they have enjoyed considerable success. Their membership has grown from 625,000 members in 1980 to 1.1 million members today. Approximately 50% of the members are women and 33% are minorities. The second goal involves them in municipal politics. Because their members are dependant on a wide range of municipal services, they are strongly opposed to any reductions in municipal budgets. Justice for Janitors has been particularly active in the local political life of Los Angeles, Sacramento, and Washington, DC.

The national union is headed by John Sweeny. Currently, Mr. Sweeny is running for presidency of the AFL–CIO. His campaign is centered on devoting a greater percentage of the AFL–CIO's resources to union organizing. The election is in late October. Mr. Jay Hessey is the leader of local 82 in Washington, DC.

Local 82 of the Service Employees International Union which serves Washington, DC, has aggressively used the same range of tactics employed by the national organization. At various times the Justice for Janitors movement has targeted individual business and political leaders, interrupted official government meetings (including the DC City Council and the House of Representatives), picketed local businesses, and blocked key traffic intersections. The traffic blockage and the interruption of a

House session clearly impede the orderly functioning of the Federal government. Several press accounts of their activities are attached.

The purpose of this hearing to elicit information about the impact of the Justice for Janitor's movement on the orderly functioning of the Federal government and public and private sectors in Washington, DC. In particular, the committee is interested in their disruption of the orderly flow of traffic.

ROOSEVELT BRIDGE BLOCKED IN PROTEST OF D.C. BUDGET; JUSTICE FOR JANITORS BRINGS MORNING COMMUTE TO STANDSTILL

SEPTEMBER 21, 1995, WASHINGTON POST

[By Marianne Kyriakos]

Protesters blocked the eastbound lanes of the Theodore Roosevelt Memorial Bridge yesterday morning, shutting down the bridge and clogging mayor routes into the District for thousands of Northern Virginia commuters for several hours.

The protesters—members of the Justice for Janitors campaign who said they were demonstrating against proposed cuts in the District budget—caused traffic backups for several miles on roadways west of the District, authorities said.

Virginia State Police spokeswoman Lucy Caldwell said the George Washington Memorial Parkway, Interstate 66 and Routes 50 and 110 "were basically a parking lot. . . . The residual effects lasted until about 11 a.m.—it just brought traffic to a standstill."

Traffic on the four bridges that carry 137,000 commuters daily from Virginia to the District—the Memorial, 14th Street, Key and Roosevelt—was either stopped or moving only a few feet an hour, said John Undeland, a spokesman for the local American Automobile Association.

"It's safe to say that more than 100,000 people had their commutes disrupted by the stunt," Undeland said. "It's transportation terrorism, pure and simple. We are really concerned about this. We have seen more than a dozen of these incidents in the past year."

Yesterday's event began at 8 a.m., when members of the Service Employees International Union's Justice for Janitors campaign parked a large yellow school bus across the eastbound lanes of the bridge to protest D.C. budget cuts that affect children. Protesters set up a "classroom" in the middle lanes of the bridge, with desks, chairs and blackboards.

Dozens of exasperated passengers—including Health and Human Services Secretary Donna B. Shalala—abandoned car pools on the Roosevelt Bridge to walk into the District. Others lined up to make calls from the car telephones of frustrated fellow commuters.

"We feel that this little disruption is nothing compared with the major disruption the D.C. budget is going to have on working families and their kids," protester Deborah Dion said of the union, which represents 5,000 workers in the city.

Thirty-four of about 250 demonstrators were arrested, said Capt. Michael Radzilowaki, of the D.C. police Special Operations Division. Radzilowaki said such incidents are difficult—if not impossible—to prevent. "The problem is, you never know exactly what's going to happen."

Justice for Janitors has staged a campaign for higher pay for the workers who clean the city's office buildings at night and has focused much of its activity on real estate developer Oliver Carr.

The group has disrupted a D.C. Council meeting and blocked traffic before, including once on the 14th Street bridge during rush hour.

Yesterday's protest was cleared at 9:10 a.m.—too late to spare the jangled nerves of commuters. John Wu, a computer specialist at the Department of Health and Human Services, said he briefly considered stopping Shalala as she walked past his car to a vehicle waiting on the D.C. side of the Roosevelt Bridge. "I was going to say, 'Excuse me, I'm going to be late,'" Wu said. But "she doesn't know me."

At least one driver blocked by the school bus feared the worst as it slowed down and turned sharply to obstruct several lanes of traffic.

"I thought, 'Oh, my God, let's not have some sort of terrorist activity here,'" said John Sly, a State Department employee whose car had been following the bus. "When they start blocking bridges off like this, people get really nervous."

THEY HEROES OR HOOLIGANS?

APRIL 14, 1995, WASHINGTON POST

[By Mary Ann French]

They are mostly women, strong and fit, wearing jeans and flat shoes. They are laborers, union members. Maybe they're even the makings of a movement. They are Justice for Janitors, and they're out to change the world. They not only want higher wages and better benefits for the workers who clean the city's office buildings at night—they want peace for the people and headaches for the higher-ups.

Their hooting and hollering have disrupted a D.C. Council meeting. They've stopped traffic time and again with their demonstrations—including once last month on the 14th Street Bridge, during rush hour. Last night the janitors were out again, hand-delivering their own proposal to solve the District's budget crisis to Council member Harold Brazil at his Capitol Hill home. They've prompted a business columnist at this newspaper to call them "bush league" for "raising a ruckus" in front of a real estate developer's home.

One of them, Lisa Fithian, tried to get House Speaker Newt Gingrich's goat by yelling down to him from a visitors' gallery in the Capitol, right after the morning prayer and the Pledge of Allegiance. "Hey Newt, if you want to save D.C., tax Oliver Carr," she screamed. She was escorted away, however, before she got a chance to explain the connection she sees between the two.

Washington native Dania Herring, who quit her job as a janitor to organize full time, gets arrested frequently at demonstrations for workers' rights. "The union was always a shoulder or a hand or something to fall back on," she says. "But without the union, you're nothing."

Whether we think the people who fight for Justice for Janitors are heroes or hooligans, they've got our attention. And when they decide to act, the region usually watches.

"I like the fact that they get under our skin," WAMU–FM political analyst Mark Plotkin says of the janitors' group, which is attached to the Service Employees International Union's Local 82. "They traumatize the system, they make people uncomfortable, they disrupt daily life. I like the fact that they name names. They represent people at the lowest rung of the economic ladder, a lot of whom are undocumented workers who don't speak English. In the Gingrich era, the suburbs have spokesmen, but this class of citizens doesn't. . . . They sort of remind me of the '60s."

Which is fine if you have fond memories of that decade.

"Maybe I'm out of touch, or too young or too old or I don't know what, but I just find them reprehensible," says Brazil, who has opposed a property tax increase that the janitors are endorsing.

He is a leader of the self-described "Magnificent Seven"—council members who are attempting to block property taxes from rising with inflation as they do automatically each year under a long-standing law. For months, the seven have been battling Mayor Marion Barry on the issue.

But obstructionism has its limits as far as Brazil is concerned.

"I just don't support using guerrilla tactics," he says, fuming about the day Justice for Janitors invaded his office. "My private office" he says. "They locked the doors and wouldn't leave. We had to drill holes in the door and carry them out of there. That's plain old disrespect and hooliganism."

When they march, they carry signs saying that D.C. has Carr trouble, as in Oliver T. Carr Jr., the city's largest landlord. Considering that the city is broke, they think he should pay more taxes.

"They're a nuisance,"says Karen Widmayer, speaking for the Oliver Carr Co. Carr himself "will not talk about this," she says. "It doesn't merit him talking about it. I think the contempt charges we brought against them [after they picketed Carr's home last month] are probably the most appropriate commentary."

D.C. Superior Court Judge Ann O'Regan Keary ruled last week that the janitors were indeed picketing and not praying, as they had claimed, and that they thereby violated a restraining order. She ordered them to pay Carr's legal costs—about $15,000. That was after she watched a videotape of the demonstrators marching and chanting "We'll be back" outside of the house where Carr's wife, Kathleen, and the couple's infant triplets were said to be "terrified."

Not all of the janitors' demonstrations are that dramatic, though.

They marched in circles one recent afternoon, shaking soda cans filled with BB's, making a rhythmic, almost calming noise. It was lunchtime and the sidewalks

would have been busy even without the demonstrators some 70-strong. As they milled around on the corners of 17th Street and Pennsylvania Avenue NW, salesmen rumbled by pushing luggage carts piled high with copiers and computer equipment. Sightseeing elementary school students bunched their two neat lines into one amoebic mass as they hit the crosswalk. They seemed mildly intrigued by the demonstrators, but not transfixed.

Even the police were cool, sticking to one corner, close to their three cruisers. They had a patrol wagon at the ready, but it was clear they didn't expect trouble. And they got none, even though they ended up arresting eight of the demonstrators.

In response to a signal, those who had been selected to be civilly disobedient moseyed out to the middle of the intersection and sat down right in front of Carr Co. headquarters.

"I guess they got their job to do too," Herring, 24, says of the cops. They treat us nice, though, 'cause they remember we were down at the District Building protesting with them."

Herring was a janitor at CNN's Capitol Hill headquarters before quitting to become a full-time organizer at Local 82. In the year that has passed, the Ballou High School graduate has been "CD'd," or arrested for civil disobedience, seven times.

"When I first started, I was shy," Herring says. "But then it got fun, to go out and protest." And it got surreal, as she found herself shoulder to shoulder with police officers a month ago, turning out at a D.C. Council meeting. The police were there to protest a 12 percent pay cut the council had ordered for the department's unionized workers. The janitors were there to protest everything. Or so it seemed to come.

"There's not a clear logic between what they're saying and what they're doing," says Brazil. "Essentially they use anarchy as a means of organizing workers. And they do that under the mantle of justice—for janitors—or whoever else they want to organize."

Brazil's media person, Sally Weinbrom, described the demonstrating janitors with a singularly anachronistic phrase. They're "outside agitators," she says. They're politicizing the debate without effecting what seems to be their goal

Fithian, 33, a Justice for Janitors organizer who is from New York state but who has lived in the District for nearly nine years, says her union has a giant agenda for fairly simple reasons.

"Our members are residents of the District of Columbia who rely on city services, schools and health programs," she says. "They are not living high on the hog. Many of them are living paycheck to paycheck, and when you have services being cut, they are affected."

Herring, who has two sets of twins—ages 7 and 2—and whose husband is an unemployed bricklayer, sizes up the city's budget crisis in practical terms. There's the shortening of the public school year, the cutback of the police department's budget.

"I live in Southeast, in a bad neighborhood," she says. "We have drug dealers and shootings and things like that. We really need the police there, so that's what really made me get involved."

If Carr and other real estate managers were to pay their "fair share" of property taxes, Herring believes, the city would be in better shape. But Brazil and his colleagues have a different definition of fairness.

"People have got to start seeing government cutting itself back," Brazil says. "People are looking for that kind of a signal now. It's getting real hairy now with a lot of people and businesses trying to decide whether they're leaving or staying. . . . The days of tax and spend have to be over."

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150 Arrested in Downtown D.C. Protest; 650 Union Activists, Supporters Block Commuter Traffic for 2nd Day

MARCH 23, 1995, WASHINGTON POST

[By Wendy Melillo]

About 150 protesters were arrested yesterday after they blocked traffic at a downtown Washington intersection during the second day of demonstrations by union activists and their supporters, authorities said.

About 650 protesters sat down in the intersection of 17th Street and Pennsylvania Avenue NW, blocking traffic In all directions for about 15 minutes during the start of the evening commuter rush, D.C. police said.

The demonstration was organized by the Service Employees International Union and its Local 82, which represents office building custodial workers and parking at-

on the 14th Street Bridge and a similar demonstration four months ago.

The traffic blockade yesterday came at the end of a day-long campaign of demonstrations that are part of the union's "Justice for Janitors" campaign. Protesters gathered at 16th and I streets NW about 4:30 p.m. and marched to 17th and Pennsylvania Avenue, which is near the downtown offices of Carr Real Estate Services. The business, owned by developer Oliver Carr, has been a frequent target of the union, which is trying to organize janitorial employees in commercial building.

Renaye Manley, a spokeswoman for the union local, said police officers handled protesters roughly during the arrests.

No one reported being injured, however, and no one was hospitalized, police said. Inspector David M. Bostrom, commander of the D.C. police special operations division, said the protesters locked arms and had to be dragged from the intersection.

"We used what force wee necessary to take people into custody who were not interested in being arrested," he said.

Bostrom said police also were concerned about the safety of the protesters in the street.

"At several locations people were honking their horns and getting out of their cars," Bostrom said. "We were concerned that motorists were going to assault the protesters."

Manlay said yesterday's demonstrations were an attempt to draw attention to what union officials describe as the role of major developers in the District's budget crisis. The union has criticized the D.C. Council's attempt to roll back commercial property tax rates, which would cost the District $40 million when the city is facing a $722 million budget shortfall.

Karen Widmayer, a spokeswoman for Carr Real Estate Services, said the union is using the property tax issue to mask the real issue they are concerned about: the unionization of service workers in Washington.

"We feel their demonstrations are consistent with the tactics the union has employed in other cities by singling out a single company to gain the media attention they are hungering for," Widmayer said.

JANITORS UNION EXPANDS ITS CAMPAIGN; RALLY FOR OFFICE CREWS MUSHROOMS INTO HIGHLY VISIBLE CRUSADE AGAINST D.C. PROGRAM CUTS

MARCH 13, 1995, WASHINGTON POST

[By Pamela Constable]

For several years, the protests were small and innocuous: a dozen people circling a downtown office building, banging drums and shaking soda cans full of dried corn. Then last winter, they became more daring: lines of marchers blocking Pennsylvania Avenue, disrupting rush-hour traffic.

This week, the "Justice for Janitors" campaign of the Service Employees International Union, burst into high visibility in the Washington area, with hundreds of activists staging a demonstration each day.

At the same time, the seven-year crusade to organize office cleaning crews in the District has taken on a more ambitious agenda. More than 200 people were arrested in mass protests Monday and Tuesday as they blocked streets. And yesterday, labor activists from a half-dozen cities joined a rally of 500 people in Freedom Plaza downtown, demanding that the District stop giving tax breaks to real estate developers while cutting social programs for poor and working-class people.

"This isn't just about 5,000 Janitors; it's about issues that concern all D.C. residents—what's happening to their schools, their streets, their neighborhood," said Manny Pastreich, a union spokesman. "We're going to continue to escalate forward. He can't do this every week, but each time we do, it gets bigger."

The symbol targeted by demonstrators was Oliver Carr, the District's largest private real estate developer, whose companies own or manage 30 office buildings. On Monday, protesters picketed Carr's Bethesda home. Demonstrators hoisted placards with his photograph yesterday and chanted, "Save our city! Tax Oliver Carr!"

Protesters distributed literature that accused Carr's companies of getting huge tax breaks, in part through lobbying to have property assessments reduced. The union also condemned the D.C. Council's continuing efforts to undo an increase in commercial property taxes.

"I'm here to protest the council giving $32 million to Carr and his millionaire buddies, while they're cutting health clinics and schools and trash pickup for the rest of us," said Ollie Blocker, a federal office cleaner and mother of four.

Executives at Carr Real Estate Services said union organizers had singled out Carr simply because of the size of his enterprises. They said that D.C. commercial property taxes have gone up 300 percent in 10 years and that the tax assessment process is similar to that used in most other cities.

Karen Widmayer, a spokeswoman for Carr, alleged that the union had "history of operating this way . . . terrorizing and aggravating." Carr executives said they have a "strictly neutral" position on the unionization of janitors, however, and that 30 percent of Carr buildings are cleaned by union members.

Widmayer said the company filed charges against the union yesterday in D.C. Superior Court, alleging it had violated a court injunction issued last December that prohibited protesters from coming closer than 500 feet to any Carr family residence, or closer than 20 feet to any Carr-owned building.

Several D.C. Council members said they also were disturbed by the union's aggressive tactics. Council member Bill Lightfoot (D-At Large) said the protesters had "oversimplified the issue and misrepresented the truth" about property taxes and that small businesses would have been most hurt by a tax increase.

Despite the frosty reaction from official and corporate circles, the demonstrators were high-spirited yesterday as they marched around several downtown blocks under a police escort. There were city office workers in trench coats, union organizers in baseball jackets from Orlando and Detroit, and janitors from Central America in jeans and sneakers.

No arrests were made, and District police officials said they were willing to cooperate with the union as long as the marchers did not break the law by sitting down in the street or blocking traffic.

Greg Ceci, a longshoreman from Baltimore, said he came to show solidarity with the janitors and because he senses the labor movement is becoming revitalized by recent attacks from the Republican right.

"I don't know who Oliver Carr is, but I know we need to stop resting on our laurels and letting the right wing whack away at us," Ceci said. "We need to reach out to the workers who have been ignored by mainstream unions. We need to fight back, and I want to be part of it."

Mr. DAVIS. We will hold the record open for 2 weeks from this date for those who may want to forward submissions for somebody inclusion.

These proceedings are closed.

Thank you very much.

[Whereupon, at 3:38 p.m., the subcommittee was adjourned.]

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